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STATE OF ILLINOIS
HENRY HORNER, Governor

MAY 28 1934



Illinois - Laws, Statutes, etc.

PLUMBING LAW

(1917)

DEPARTMENT OF
REGISTRATION AND EDUCATION
DIVISION OF REGISTRATION
SPRINGFIELD, ILLINOIS

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HENRY HORNER,
Governor

DEPARTMENT OF
REGISTRATION AND EDUCATION

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Director

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Superintendent of Registration

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LICENSING OF PLUMBERS

AN ACT to provide for the licensing of plumbers, and to provide for the supervision and inspection of plumbing and providing penalties for the violation thereof, and to repeal an Act entitled "An Act to provide for the licensing of plumbers and to supervise and inspect plumbing," approved June 10, 1897, in force July 1, 1897, and all amendments thereto, and all Acts and parts of Acts inconsistent therewith.

SECTION 1. PERSONS WORKING AS PLUMBERS TO RECEIVE CERTIFICATE. Be it enacted by the People of the State of Illinois, represented in the General Assembly: Any person now or hereafter engaging in or working at the business of plumbing in this State, either as a master plumber or employing plumber or as a journeyman plumber, shall first receive a certificate thereof in accordance with the provisions of this Act.

§ 2. Any person desiring to engage in or work at the business of plumbing, either as a master plumber or employing plumber or as a journeyman plumber, shall make application to a board of examiners, hereinafter provided for, and shall at such time and place as such board may designate be compelled to pass such examination as to his qualifications as said board with the approval of the Department of Registration and Education may direct; said examination may be made in whole or in part in writing and shall be fair and impartial and of a practical and elementary character, but sufficiently strict to test the qualifications of the applicant.

§ 3. That there shall be in every city, town or village of 10,000 inhabitants or more, a board of examiners of plumbers, consisting of three members, one of which shall be the chairman of the board of health, health officer, or commissioner of health, as the case may be, who shall be *ex officio* chairman of said board of examiners; a second member who shall be a master plumber, and a third member who shall be a journeyman plumber. Said second and third members shall be appointed by the mayor and approved by the city council or city commissioners, or board of trustees of said town or village, within three months after the passage of this Act, for the term of one year from the first day of May in the year of appointment and thereafter annually before the first day of May and shall hold office until their successors are appointed and shall be paid from the treasury of said city, town or village, the same as other officers in such sums as the authorities may designate.

§ 4. Said board of examiners shall, as soon as may be after appointment, meet and then designate the dates and places for the examination of all applicants desiring to engage in or to work at the business of plumbing within their respective jurisdiction. Said board shall examine said applicants as to their practical knowledge of plumbing, house drainage and plumbing ventilation and if satisfied of the competency of such applicant shall thereupon issue a certificate to such applicant authorizing him to engage in or work at the business of plumbing, whether as a master plumber, employing plumber, or as a journeyman plumber.

The fee for a certificate for a master plumber or employing plumber shall be \$50.00;

for a journeyman plumber the fee shall be \$1.00. Said certificate shall be valid and have force throughout the State for a period of one year from date of issuance and may be renewed upon its expiration by payment in advance of an annual renewal fee of \$10.00 for the certificate of a master plumber or employing plumber and the payment in advance of an annual renewal fee of \$1.00 for the certificate of a journeyman plumber. All certificate and renewal fees received for said certificate to be paid into the treasury of the city, town or village where said certificate is issued: Provided, however, that all such persons residing outside of a city, town or village, having a board of examiners of plumbers shall pay their fees for renewal to the Department of Registration and Education as provided in section 6 of this Act.

§ 5. Each city, town or village in this State having a system of water supply or sewerage, shall, by ordinance or by-law within three months of the passage of this Act and with the advice of the Department of Public Health, prescribe rules and regulations for the materials, constructions, alteration and inspection of all plumbing and sewerage placed in or in connection with any building in such city, town or village; and the board of health or proper authorities shall further provide that no plumbing work shall be done except in case of repairing of leaks without a permit being first issued therefor and upon such terms and conditions as such city, town or village shall prescribe.

§ 6. All persons who are required by this Act to take examinations and to procure a certificate as required by this Act, shall apply to the board of examiners of plumbers in the city,

town or village where he resides: Provided, however, an applicant residing outside of a city, town or village having a board of examiners of plumbers, shall apply to the board of examiners of plumbers, nearest his place of residence: Provided, however, that all such persons who reside outside a city, town or village having a board of examiners of plumbers, shall apply to and receive his renewal certificate from the Department of Registration and Education, and he shall pay the renewal fee as provided for herein, to the Department of Registration and Education. All fees received by the Department of Registration and Education for such renewals shall be paid into the State treasury. It shall be the duty of such board of examiners of plumbers in such cities, towns or villages, to furnish the Department of Registration and Education with the name and address of each person who may apply or to whom it has issued a certificate or a renewal certificate within thirty days from the date of issue of said certificate.

§ 7. It shall be the duty of the Department of Registration and Education to see that the provisions of this Act are enforced. The Department of Registration and Education shall have the power by and with the advice and acquiescence of the Attorney General of this State to institute mandamus proceedings in the name of the People of the State of Illinois, against the officers or corporate government of any city, town or village in this State which does not comply with the provisions of this Act to compel the observance of these provisions. The State Department of Registration and Education may also institute and prosecute suits for the recovery of any penalty provided for in this Act.

The Attorney General shall assist in instituting and prosecuting all such proceedings upon application of the State Department of Registration and Education.

§ 8. Any person violating any provision of this Act shall be guilty of a misdemeanor and be subject to a fine of not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for each and every violation thereof and whenever such person has a plumber certificate the same may be revoked by the Department of Registration and Education: Provided, that no certificate shall be revoked before the holder thereof has been given reasonable notice of the charge against him and an opportunity for a full hearing before the Department of Registration and Education. For the purpose of conducting such hearings the Director of Registration and Education shall appoint three competent, reputable and licensed plumbers. The action or report in writing of a majority of the persons designated shall be sufficient authority upon which the Director of Registration and Education may act.

§ 9. An Act entitled: "An Act to provide for the licensing of plumbers and to supervise and inspect plumbing," approved June 10, 1897, in force July 1, 1897, and all amendments thereto, and all Acts and parts of Acts inconsistent herewith, are hereby repealed: Provided, however, that any certificate heretofore lawfully issued entitling the holder to engage in or work at the business or trade of plumbing in this State shall, during the unexpired period for which such certificate was issued, serve the same purpose as the certificate provided for by this Act.

And, provided, further, that the provisions of this Act shall not apply to plumbers regularly employed by any common carrier engaged in interstate commerce, and engaged exclusively in work on the premises of such carrier.

Filed June 29, 1917.

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DEPARTMENT

Registration and Education

STATE OF ILLINOIS



LICENSING PLUMBERS

SPRINGFIELD

1924

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STATE OF ILLINOIS
DEPARTMENT OF
REGISTRATION AND EDUCATION

A. M. SHELTON, Director

V. C. MICHELS, Superintendent of
Registration

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LICENSING OF PLUMBERS

AN ACT to provide for the licensing of plumbers, and to provide for the supervision and inspection of plumbing and providing penalties for the violation thereof, and to repeal an Act entitled "An Act to provide for the licensing of plumbers and to supervise and inspect plumbing," approved June 10th, 1897, in force, July 1st, 1897, and all amendments, thereto and all Acts and parts of Acts inconsistent herewith.

SECTION 1. PERSONS WORKING AS PLUMBERS TO RECEIVE CERTIFICATE.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Any person now or hereafter engaging in or working at the business of plumbing in this State, either as a master plumber or employing plumber or as a journeyman plumber, shall first receive a certificate thereof in accordance with the provisions of this Act.

§ 2. Any person desiring to engage in or work at the business of plumbing, either as a master plumber or employing plumber or as a journeyman plumber, shall make application to a board of examiners, hereinafter provided for, and shall at such time and place as such board may designate be compelled to pass such examination as to his qualifications as said board with the approval of the Department of Registration and Education may direct; said examination may be made in whole or in part in writing and shall be fair and impartial and of a practical and elementary character but sufficiently strict to test the qualifications of the applicant.

§ 3. That there shall be in every city, town or village of 10,000 inhabitants or more, a board of examiners of plumbers, consisting of three members, one of which shall be the chairman of the board of health, health officer, or commissioner of health, as the case may be who shall be **ex officio** chairman of said board of examiners; a second member who shall be a master plumber, and a third member who shall be a journeyman plumber. Said second and third members shall be appointed by the mayor and approved by the city council or city commissions, or board of trustees of said town or village, within three months after the passage of this Act, for the term of one year from the first day of May in the year of appointment and thereafter annually before the first day of May and shall hold office until their successors are appointed and shall be paid from the treasury of said city, town or village, the same as other officers in such sums as the authorities may designate.

§ 4. Said board of examiners shall, as soon as may be after appointment, meet and then designate the dates and places for the examination of all applicants desiring to engage in or to work at the business of plumbing within their respective jurisdiction. Said board shall examine said applicants as to their practical knowledge of plumbing, house drainage and plumbing ventilation and if satisfied of the competency of such applicant shall thereupon issue a certificate to such applicant authorizing him to engage in or work at the business of plumbing, whether as a master plumber, employing plumber, or as a journeyman plumber.

The fee for a certificate for a master plumber

or employing plumber shall be \$50.00; for a journeyman plumber the fee shall be \$1.00. Said certificate shall be valid and have force throughout the State for a period of one year from date of issuance and may be renewed upon its expiration by payment in advance of an annual renewal fee of \$10.00 for the certificate of a master plumber or employing plumber and the payment in advance of an annual renewal fee of \$1.00 for the certificate of a journeyman plumber. All certificate and renewal fees received for said certificate to be paid into the treasury of the city town or village where said certificate is issued: *Provided, however,* that all such persons residing outside of a city, town or village, having a board of examiners of plumbers shall pay their fees for renewal to the Department of Registration and Education as provided in section 6 of this Act.

§ 5. Each city, town or village in this State having a system of water supply or sewerage, shall, by ordinance or by-law within three months of the passage of this Act and with the advice of the Department of Public Health, prescribe rules and regulations for the materials, constructions, alterations and inspection of all plumbing and sewerage placed in or in connection with any building in such city, town or village; and the board of health or proper authorities shall further provide that no plumbing work shall be done except in case of repairing leaks without a permit being first issued therefor and upon such terms and conditions as such city, town or village shall prescribe.

§ 6. All persons who are required by this Act to take examinations and to procure a certificate as required by this Act, shall apply to the

board of examiners of plumbers in the city, town or village where he resides: *Provided, however,* an applicant residing outside of a city, town or village having a board of examiners of plumbers, shall apply to the board of examiners of plumbers, nearest his place of residence: *Provided, however,* that all such persons who reside outside a city, town or village having a board of examiners of plumbers, shall apply to and receive his renewal certificate from the Department of Registration and Education, and he shall pay the renewal fee as provided for therein, to the Department of Registration and Education. All fees received by the Department of Registration and Education for such renewals shall be paid into the State treasury. It shall be the duty of such board of examiners of plumbers in such cities, towns or villages, to furnish the Department of Registration and Education with the name and address of each person who may apply or to whom it has issued a certificate or a renewal certificate within thirty days from the date of issue of said certificate.

§ 7. It shall be the duty of the Department of Registration and Education to see that the provisions of this Act are enforced. The Department of Registration and Education shall have the power by and with the advice and acquiescence of the Attorney General of this State to institute mandamus proceedings in the name of the People of the State of Illinois against the officers or corporate government of any city, town or village in this State which does not comply with the provisions of this Act to compel the observance of these provisions. The State Department of Registration and Education may also

institute and prosecute suits for the recovery of any penalty provided for in this Act.

The Attorney General shall assist in instituting and prosecuting all such proceedings upon application of the State Department of Registration and Education.

§ 8. Any person violating any provision of this Act shall be guilty of a misdemeanor and be subject to a fine of not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for each and every violation thereof and whenever such person has a plumber certificate the same may be revoked by the Department of Registration and Education: *Provided*, that no certificate shall be revoked before the holder thereof has been given reasonable notice of the charge against him and an opportunity for a full hearing before the Department of Registration and Education. For the purpose of conducting such hearings the Director of Registration and Education shall appoint three competent, reputable, and licensed plumbers. The action or report in writing of a majority of the persons designated shall be sufficient authority upon which the Director of Registration and Education may act.

§ 9. An Act entitled: "An Act to provide for the licensing of plumbers and to supervise and inspect plumbing," approved June 10, 1897, in force July 1, 1897, and all amendments thereto, and all Acts and parts of Acts inconsistent therewith, are hereby repealed: *Provided, however*, that any certificate heretofore lawfully issued entitling the holder to engage in or work at the business or trade of plumbing in this State shall, during the unexpired period for which such

certificate was issued, serve the same purpose as the certificate provided for by this Act.

And, provided, further, that the provisions of this Act shall not apply to plumbers regularly employed by any common carrier engaged in interstate commerce, and engaged exclusively in work on the premises of such carrier.

Filed June 29, 1917.

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STATE OF ILLINOIS
HENRY HORNER, Governor



THE ILLINOIS PLUMBING LICENSE LAW

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DEPARTMENT OF
REGISTRATION and EDUCATION
Division of Registration

SPRINGFIELD, ILLINOIS

STATE OF ILLINOIS
DEPARTMENT OF
REGISTRATION and EDUCATION

JOHN J. HALLIHAN,
Director

HOMER J. BYRD,
Superintendent of Registration

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THE ILLINOIS PLUMBING LICENSE LAW

An Act in relation to the regulation of plumbing and licensing of Master Plumbers, Journeyman Plumbers and registration of Plumber's Apprentices, and for the protection of public health, and repeal of a certain Act therein named.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

SECTION 1. A. The word or term PLUMBING as used in this Act means and shall include:

1. All piping, fixtures, appurtenances and appliances for a supply of water for all personal or domestic purposes in and about buildings where a person or persons live, work or assemble. Plumbing as used herein shall also include piping, fixtures, appurtenances and appliances for a sanitary drainage and related ventilation system within a building, and all piping, fixtures, appurtenances and appliances outside a building connecting the building with the source of water supply on the premises or the main in the street, alley or at the curb.

2. All piping, fixtures, appurtenances, appliances, drain or waste pipes carrying domestic sewage from the foundation walls of a building to the sewer service lateral at the curb

or in the street or alley or other disposal terminal holding private or domestic sewage.

3. Plumbing shall also include the installation, repair, maintenance and work upon and connection with such piping, fixtures, appliances, appurtenances, drain or waste pipes, except minor repairs by a person upon his own premises.

B. DEPARTMENT as the word or term is used in this Act shall mean the Department of Registration and Education of the State of Illinois.

C. The Term or Word BOARD, as used in this Act, shall mean the Illinois State Board of Plumbing Examiners.

D. A MASTER PLUMBER, within the meaning of this Act, is a person who has a license in effect as provided in this Act from the Illinois Department of Registration and Education specifying such person therein as a Master Plumber.

E. A JOURNEYMAN PLUMBER within the meaning of this Act is a person other than a Master Plumber who has a license in effect as provided in this Act from the Illinois Department of Registration and Education specifying such person as a Journeyman Plumber.

F. A PLUMBER'S APPRENTICE, within the meaning of this Act, is a person in this State other than a Master or Journeyman Plumber who has in effect a certificate of registration as provided in this Act specifying such person as a Plumber's Apprentice.

Section II. A. No person shall engage in this State in the business of a Master Plumber, or as an employer of a Journeyman Plumber or Plumber's Apprentice or shall enter into contracts or agreements for the installation,

maintenance or repair of plumbing or perform any of the acts specified in this Act for performance by a Master Plumber unless such person has in effect a certificate of license from the Department specifying such person as a Master Plumber.

B. No person shall engage in this State as a Journeyman Plumber unless such person has in effect a Journeyman Plumber's license from the Department specifying such person as a Journeyman Plumber.

C. No person shall be employed as a Plumber's Apprentice in this State or enter and continue in the occupation of a Plumber's Apprentice unless such person has in effect a certificate of registration from the Department specifying such person as a registered Plumber's Apprentice.

D. No firm, association or partnership shall engage in the plumbing business in this State or represent themselves as plumbing contractors or plumbers in the business of plumbing or any of its branches, unless at least one active member or partner thereof continually engaged in the conduct, supervision or performance of the firm, association or partnership business shall be a licensed Master Plumber as provided in this Act.

E. No corporation shall engage in this State in the plumbing business or represent itself as a plumbing contractor unless a licensed Master Plumber as provided in this Act shall engage in the supervision of its plumbing installation and work and unless further a licensed Master Plumber as provided in this Act shall be an active corporate official of such corporation, actively and continually engaged in its plumbing business.

F. Every individual, partnership, firm, association or corporation, engaged in the plumbing business in this State with sites or places of business in different cities of this State, shall have at least one licensed Master Plumber as provided in this Act continually in charge and supervision in each city, where a site or place of plumbing business is so operated.

G. No person in this State shall be permitted in any event to hold at the same time a license as a Journeyman Plumber and also a license as a Master Plumber and no person licensed as a Journeyman Plumber shall perform any of the acts or projects specified in this Act for performance by a Master Plumber.

H. No city, town, village, county, park district, municipal corporation or other subdivision of government in this State shall engage in the installation, maintenance or repair of plumbing unless such installation, maintenance, repair or work is carried on under the supervision of one or more Master Plumbers in the employ of such city, town, park district, county or subdivision of government, provided nothing in this Section shall be construed to prevent any subdivision of government from contracting for plumbing with an individual, firm, partnership, association or corporation authorized to do plumbing business in this State.

Section III. A. A Master Plumber holding a license in effect from the Department specifying such person as a Master Plumber is authorized to engage in the business of a plumbing contractor and also in planning, engineering, superintending, installation, maintenance and repair with respect to plumbing in all its branches and such person, as a Master Plumber is authorized to employ Journeyman Plumbers and Plumber's Apprentices

and other persons necessary for the proper conduct of the business of plumbing.

B. A Journeyman Plumber holding a license in effect from the Department specifying such person as a Journeyman Plumber is authorized to engage in the plumbing business only as an employee of a licensed Master Plumber, partnership, firm or corporation, authorized to engage in the plumbing business. A Journeyman Plumber as such employee may engage in the installation, maintenance and repair of plumbing in all its branches provided that such Journeyman Plumber may only continue in the performance of his occupation under the general supervision of a licensed Master Plumber.

C. A Plumber's Apprentice holding a certificate of registration in effect is authorized to engage in the employment of learning the plumbing trade, but may only engage and continue in the plumbing trade as an employee of a licensed Master Plumber, firm, partnership or corporation, authorized to engage in the plumbing business, and under the direct personal supervision of a licensed Master Plumber, or a licensed Journeyman Plumber, in the employ of a licensed Master Plumber; provided that no Plumber's Apprentice in this State shall engage or work in the performance of acts as a Master Plumber or a Journeyman Plumber.

B. The Board shall aid and cooperate with the Director of the Department by:

1. Preparing forms for applications for examinations for licenses and registrations.

2. In preparing subject matter, questions and all necessary items for examination as provided in this Act.

3. In preparation of rules to govern examinations and registrations and hearings for

revocation and reinstatement of licenses and certificates of registration.

4. To act as a committee to make written reports and recommendations to the Director of the Department.

5. Such other duties for the purposes of carrying out the provisions of this Act as such duties are from time to time prescribed by the Director of the Department.

C. The members of the Board shall be paid at the rate of \$10.00 per day for actual time devoted in performing the duties specified in this Act. The members shall also be reimbursed for traveling expenses necessary in performance of such duties.

Section IV. A. There is hereby created in the State of Illinois a State Board of Plumbing Examiners which shall exercise its duties and powers as provided in this Act under the supervision of the Department. The Board shall be composed of persons designated from time to time by the Director of the Department. It shall be composed of one licensed Master Plumber who has had a Master Plumber's license in effect for at least 2 years, and one licensed Journeyman Plumber who has had a Journeyman Plumber's license in effect for at least 2 years, and a third member designated by the Director. In making the appointments of licensed Master Plumbers to the Board, the Director shall give due consideration to the Recommendations of the Illinois Master Plumbers Association as communicated to the Director in writing by the Secretary of the Illinois Master Plumbers Association. In making the appointments of licensed Journeyman Plumbers to the Board the Director shall give due consideration to the recommendations of the Illinois Association of Journeyman Plumbers and Steamfitters as conveyed to the

Director in writing by the Secretary of the Illinois Association of Journeyman Plumbers and Steamfitters.

Section V. A. The Director of the Department of Registration and Education of the State of Illinois is hereby imposed with the responsibility and duty:—

1. To designate members of the State Board of Plumbing Examiners.

2. With the aid of the Board to prepare forms for application for examinations as provided hereinafter.

3. To prepare license certificates and certificates of registration and issue the same in conformity with this Act.

4. With the aid and cooperation of the Board to prescribe rules and regulations for the conduct of examinations of applicants for licenses and to prepare the subject matter of such examinations.

5. To prescribe rules and regulations consistent with the provisions of this Act for hearings to revoke, or reinstate certificates of license as provided in this Act with the aid and written recommendations of the Board.

6. To maintain an up to date record specifying names and addresses of licensed Master and Journeyman Plumbers of this State and registered Plumber's Apprentices. Such record shall show dates of issuance of all license certificates and certificates of registration and be subject to public inspection. Such record shall also show dates of filing of complaints and the nature of such complaints for revocation of licenses or certificates of registration and the date of, as well as the final order upon, such complaints.

7. To prescribe standards for what shall constitute a recognized college or university, and to determine the conformance to such standards.

Section VI. A. Any applicant for a certificate of license of Master Plumber in this State shall present his application therefor to the Department on the printed form provided for applicants by the Department for Master Plumber's license. No application for a certificate of license of a Master Plumber shall be filed by the Department nor shall any applicant be permitted to take the examination for the certificate of license for a Master Plumber, unless:

1. The application is accompanied by an application fee of \$100.00 payable to the Department.

2. Unless the applicant is a citizen of the United States.

3. Unless the application is accompanied with affidavits of applicant's employer or former employer and/or other satisfactory evidence showing the applicant has been actually engaged as a licensed Journeyman Plumber for at least 5 years, or that such applicant has been graduated from a recognized college or university in the course of plumbing or sanitary engineering or mechanical engineering or civil engineering or architectural engineering, and has also been employed by a licensed Master Plumber for at least 2 years as a licensed Journeyman Plumber, or that the applicant has been a student in a recognized college or university and has pursued a course in plumbing or sanitary engineering or mechanical engineering or civil engineering or architectural engineering for at least 3 years and has thereafter been employed as a licensed Journeyman Plumber by a Master Plumber for at least 3 years.

B. Any applicant for a certificate of license of Journeyman Plumber in this State shall present his application therefor to the Department on the printed form provided by the

Department for Journeyman Plumber's license. No application for a certificate of license of a Journeyman Plumber shall be filed by the Department nor shall any applicant be permitted to take the examination for the certificate of license of a Journeyman Plumber, unless:

1. Accompanied by a fee of \$25.00.

2. The application is accompanied by affidavits of the applicant's employer or former employer and/or satisfactory evidence that the applicant has been occupied as a Plumber's Apprentice for at least 5 years, or that the applicant has pursued a course in plumbing or sanitary engineering or mechanical engineering or civil engineering or architectural engineering for at least 3 years in a recognized college or university, and has also served 2 years as a registered plumber's apprentice.

C. Any applicant for a certificate of registration of a plumber's apprentice shall present his application on the form provided by the Department for application of a Plumber's Apprentice, provided that no such application shall be filed unless:

1. The application contains satisfactory evidence that the applicant is at least 16 years of age.

2. The application is accompanied by an affidavit of a licensed Master Plumber that the applicant is to be immediately employed by such Master Plumber upon the issuance of the certificate of registration.

D. Any applicant for a certificate of license of Master Plumber or any applicant for certificate of license of a Journeyman Plumber who shall within 60 days next following the enactment of this Act present to the Department satisfactory evidence in writing that he has a Master Plumber's license or a Journey-

man Plumber's license issued by virtue of the Illinois Plumbing law in force July 1st, 1917 shall have issued to him by the Department either a certificate of license of a Master Plumber or a certificate of license of a Journeyman Plumber as the case may be without any additional application, evidence, examination, filing fee or other condition precedent.

E. Any person who holds a certificate of license of a Master Plumber or a Journeyman Plumber or a certificate of registration of a Plumber's Apprentice, shall notify the Department promptly in the event of change of his address from the address specified in his certificate of license of a Master Plumber or Journeyman Plumber or certificate of registration of a Plumber's Apprentice.

Section VII. A. The Department shall provide and conduct examinations at least 4 times each year of applicants who have had their applications for certificate of Master Plumber's license placed on file with the Department and also provide and conduct examinations at least 4 times each year for applicants who have had their application of license of a Journeyman Plumber placed on file with the Department. Any applicant who has had his application placed on file with the Department at least 10 days prior to the date set for either the examination of Master Plumber or Journeyman Plumber shall be permitted to take the examination. All such examinations shall be conducted by the Department with the aid and cooperation of the Board and shall be conducted at places designated by the Department within the State consistent with the reasonable convenience of applicants.

B. The Director of the Department shall allow or deny applications for certificate of Master Plumber's license or Journeyman

Plumber's license upon the recommendation of the Board, respecting each applicant so soon after such examination as practicable. Each applicant who has successfully passed the examination and has had his application allowed for a certificate of license of either a Master Plumber or a Journeyman Plumber, as the case may be, shall have issued and mailed to him by the Department at his address on the application a certificate specifying such person as a Master Plumber or a Journeyman Plumber, as the case may be. All applicants who have failed to pass the examination and have had their application denied shall also be notified by mail directed to the applicant's address shown on the application.

C. All certificates of license and of registration shall be issued by the Department in the name of the Department with the seal thereof attached.

D. No applicant who has failed in an examination for either a Master or a Journeyman Plumber's license shall be permitted to take a further examination until after the expiration of one year following the date of the examination of which such applicant failed provided such applicant, in order to take a successive examination shall pay a like fee as required for the first examination.

E. All certificates of license of Master and Journeyman Plumbers shall expire on May 1st next following date of issuance. Every license of either a Master or Journeyman Plumber issued by the Department may be renewed for a period of one year from each succeeding May 1st, upon payment during the month of April of an annual renewal fee of \$25.00 for a Master Plumber and \$2.00 for a Journeyman Plumber's license. Certificates of license hav-

ing expired for failure of the holder to pay such renewal fee shall be reinstated by the Department provided that within 6 months following the date of expiration the holder shall pay to the Department a penalty of \$10.00 in addition to the annual renewal fee for Master Plumbers and \$1.00 in addition to the annual renewal fee for Journeyman Plumbers. All certificates of either Master or Journeyman Plumbers having expired for failure to pay such renewal fee and not reinstated within 6 months as provided in this Section shall stand revoked and no new certificates of license shall be issued except as provided in the case of original applicants.

F. Every applicant who has had his application for certificate of registration of a Plumber's Apprentice filed by the Department shall immediately have issued to him a certificate of registration under the seal of the Department specifying such applicant as a Plumber's Apprentice and such certificate shall be for a term of 5 years. Every applicant for certificate of registration of a Plumber's Apprentice shall be required to pay a filing fee of \$1.00. No such applicant shall be required to take an examination or perform any other condition precedent for the issuance of said certificate except as provided in this Act.

Section VIII. A. In every place in this State within and from which a plumbing business is conducted as specified for a Master Plumber there shall be at all times on display a certificate of license in effect of a Master Plumber as provided in this Act. Any person, partnership, firm, association or corporation engaged in the plumbing business in two or more places of business within the same village, town or city shall display in each place of business either a certificate of license in effect of a Master

Plumber as provided in this Act or a branch office certificate of license in effect of Master Plumber to be issued by the Department upon application, provided, that in the principal place of business of such individual, partnership, firm, association or corporation there shall be displayed an original certificate of a Master Plumber in effect as provided in this Act.

Section IX. Any city, village or incorporated town having a population of five hundred thousand or more, may, by ordinance, provide for a board of plumbing examiners to conduct examinations for journeyman plumbers and master plumbers, to register plumbers' apprentices, and to issue and revoke plumbers' licenses within such city, village or incorporated town. The provisions of this Act shall not apply within any such city, village or incorporated town which enacts such ordinance.

Nothing contained in this Act shall prohibit any city, village or incorporated town from providing for a plumbing inspector or from requiring permits for the installation and repair of plumbing and collecting a fee therefor.

Section X. A. It is hereby declared to be the policy of this State that each city, town or village with a system of water supply or sewage or both should so soon after the enactment of this Act as practicable, with the advice of the State Department of Health, provide by Ordinance, by-laws or rules and regulations for the materials, construction, alteration, and inspection of all plumbing placed in or in connection with any building in any such city, town or village and to provide for and appoint a competent plumbing inspector or more as required. Such appointee shall be a Master Plumber or a Journeyman

Plumber with a license of a Journeyman Plumber in effect for at least 5 years.

B. The Department of Public Health shall conduct inquiry in any city, town or village, or at any other place in the State when reasonably necessary in the judgment of the Director of the Department of Health to safeguard the health of any person or persons in this State on account of any piping or appurtenant appliances within any building or outside, when such piping and appliances are for the use of plumbing as defined in this Act and for the use of carrying sewage or waste within or from any building.

C. The Department of Public Health may conduct such inquiries in any city, town or village in this State by directing the plumbing inspector thereof to aid in or conduct such inquiry or investigation in behalf of the Department of Public Health, or the Department of Public Health may designate some other person or persons to conduct such investigation.

Section XI. A. The Department of Registration and Education shall revoke the certificate of license of any Master Plumber or any Journeyman Plumber, or certificate of registration of any Plumber's Apprentice, after hearing when the weight of the evidence establishes any one or more of the following specific violations:

1. For having obtained or conspired with others to obtain a certificate of license of a Master Plumber or Journeyman Plumber or certificate of registration of a Plumber's Apprentice by inducing the issuance of such license or certificate of registration in consideration of the payment of money or any other thing of value, or by and through a wilful or fraudulent misrepresentation of facts in pursuance thereof.

2. Wilful violation of any Plumbing Ordinance, or by-laws of any city, town or village or of any law of this State regulating the conduct of plumbing work.

3. On account of knowingly aiding or assisting any person to engage in the work specified for a Master Plumber or a Journeyman Plumber or a Plumber's Apprentice, when such person has not a license or certificate of registration in effect as provided in this Act.

4. Because of any Master Plumber or Journeyman Plumber or Plumber's Apprentice wilfully and fraudulently loaning his certificate of license or registration to any other person for the purpose of permitting such person to engage in any plumbing work in violation of the provisions of this Act.

5. In the event any licensee or registrant as provided in this Act, shall be convicted of a felony.

6. On account of any wilful violation of any of the provisions of this Act.

7. No proceedings to revoke a license or certificate of registration as provided in this Section, shall be instituted unless filed with the Department of Registration and Education within 3 years next after the date or dates of violation provided that in the event the licensee or registrant is outside the State of Illinois subsequent to the commission of any violation as provided herein, the time during which he is absent from the State of Illinois shall not be included as a part of such 3 years of limitation.

Section XII. A. No license of a Master Plumber or Journeyman Plumber or certificate of registration of a Plumber's Apprentice shall be revoked or cancelled until after a full and impartial hearing as provided in this section.

1. No hearing for the purpose of revoking any license of a Master Plumber or license of a Journeyman Plumber or certificate of a Plumber's Apprentice shall be held unless there is first placed on file with the Department a verified complaint in writing reciting therein with reasonable particularity a statement of facts which if proved would be sufficient to constitute a violation of one or more of the specifications for revocation of license or certificate set forth in Section II of this Act.

2. Upon the filing of a verified complaint as provided herein the Department shall promptly set a date for a hearing of the charges of the complaint which shall be held either in the City of Chicago or the City of Springfield in this State. The Department shall promptly mail to the licensee or registrant charged in the Complaint a true and correct copy of such complaint and notification of the time and place when and where a hearing of such charges shall be had. Such copy of the complaint and notification shall be served on the licensee or registrant at least 20 days prior to the date therein set for the hearing either by delivery of the same personally to the licensee or registrant or by mailing the same by registered mail to the last known place of address of such licensee or registrant.

3. At the time and place fixed in such notification the Board of Plumbing Examiners under supervision of the Department shall proceed to a hearing of the charges specified in the complaint. No hearing upon the charges of the complaint shall be had unless the records of the Department contain evidence that the licensee or registrant charged in the complaint has been so served with a copy of the complaint and notification at least 20 days prior to the date of such hearing, provided

that the appearance of the licensee or registrant so charged, either in his own behalf or by counsel, shall constitute proof that sufficient notice of the hearing was served.

4. A complaining party by himself or by counsel may aid in the presentation of evidence toward sustaining the complaint. Ample opportunity shall be accorded for hearing of all evidence and statement of counsel either in support of or against the charges of the complaint. Upon good cause shown the date of the hearing on the Complaint may be continued provided the licensee or registrant and other interested parties shall be reasonably notified about the date of the continuance.

B. The Department shall have power to subpoena and bring before it or the Board of Plumbing Examiners, to any hearing, any person in this State to give evidence and to take testimony, either orally or by deposition, or both, and to issue subpoena duces tecum for any books and records or other documents necessary or relevant at any hearing, with the same fees and mileage and in the same manner as prescribed by law in Judicial Procedure in civil cases in Courts of this State.

C. The Director, Assistant Director, Superintendent of Registration and any member of the State Board of Plumbing Examiners shall have power to administer oaths to witnesses at a hearing which the Department is authorized by law to conduct and any other oaths authorized or administered by the Department.

Section XIII. A. Any Circuit or Superior Court or any Judge thereof, either in term time or vacation upon the application of the licensee or registrant or complainant or of the Department, may by order duly entered require the attendance of witnesses and the production

of relevant books and papers before the Department or the Board in any hearing upon a complaint as provided in this Act and may compel obedience to its or his order by proceedings for contempt.

Section XIV. A. The Department at its expense shall provide a stenographer to take down the testimony and to preserve a record of all proceedings at the hearing upon any complaint. The complaint and other documents in the nature of pleadings and other motions filed in the proceedings, the transcript of testimony, report of the committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person upon payment therefor of 24c per 100 words for each original transcript and 6c per 100 words for each carbon copy thereof.

Section XV. A. The State Board of Plumbing Examiners upon completion of any hearing held on a verified complaint shall present to the Director of Registration and Education a written report of their findings and recommendations. The Director of the Department shall thereupon order that the license or certificate of the licensee or registrant charged in the complaint shall be revoked or that the complaint shall be dismissed in accordance with the recommendations of the Board. A copy of such order shall immediately be served upon the licensee or registrant either personally or by registered mail. The order of the Department shall be final unless the licensee or registrant so charged, or complainant, shall within 20 days after receipt of such order file with the Department his motion in writing for a rehearing specifying therein the points and reasons therefor. The filing of a motion for rehearing shall stay the operation

of the order pending a final decision on such motion. A motion for a rehearing shall be immediately referred by the Director to the Board for recommendations thereon. If the motion is allowed by the Director, the Board shall proceed as in the case of original hearing on a complaint. Not more than one rehearing on any complaint shall be granted. The decision of the Department shall be final upon questions of fact.

Section XVI. A. The Circuit or Superior Court of the County wherein the licensee or registrant so charged resides shall have power to review the entire proceedings of any hearing had before the Board or Department and to review any order dismissing a complaint or revocation of a license or certificate and all questions of law presented by such record provided a Writ of Certiorari issued out of such Court within 20 days next after receipt of notification of the determination of the petition for rehearing in the case as provided in Section 15 of this Act. In the event the licensee or registrant so charged has no definite place of residence in any County in this State as shown by the Records of the Department, the Circuit or Superior Court of Cook County or the Circuit Court of Sangamon County shall have power to review such transcript and proceedings and orders of the Department.

B. Such Writ of Certiorari shall be issued by the Clerk of the Court immediately upon the filing of a praecipe therefor. Such Writ of Certiorari shall be directed to the Director, Assistant Director or Superintendent of the Department of Registration and Education of the State of Illinois by registered mail. The certificate of the Clerk that such Writ of Certiorari has been so mailed to the Department of Registration and Education will con-

stitute evidence that proper service has been made. The Clerk of the Court shall also direct by registered mail, notification to the complainant in such proceedings and also notification by registered mail to the licensee or registrant charged in said proceedings, as such complaint and licensee or registrant is shown on the praecipe together with their last known address. The notification of the proceedings so issued by the Clerk of the Court shall advise the date the praecipe was filed, the title of the cause and the return day thereof. The Department upon receipt of the Writ of Certiorari shall immediately prepare a complete transcript of the record and proceedings in said cause certified as to correctness by the Director of the Department and transmit the same to the Clerk of the Court. Immediately upon receipt thereof the Clerk shall set the earliest date convenient for the Court for a hearing before the Court of such Writ of Certiorari and notify counsel of record respecting such date of hearing.

C. No praecipe for Writ of Certiorari shall be filed in any Court unless accompanied by a receipt of the Department of Registration and Education acknowledging payment of the record of proceedings to be transcribed in the cause.

D. The Circuit or Superior Court shall upon hearing review the record of proceedings had before the Department and Board of Plumbing Examiners and shall either confirm or reverse the order of the Department. The Court may in its discretion remand the cause to the Department for further proceedings.

E. No Department order of revocation or dismissal shall be set aside or vacated on any ground not specified in the written motion for rehearing provided for in Section 15.

Section XVII. A. At any time after the final revocation of a license or certificate of registration, the Department may upon a written verified application of the licensee or registrant for restoration of such license or certificate of registration refer said application to the Board for hearing and recommendation. In the event the Board recommends that such license or certificate of registration shall be restored the Department shall so order and issue to the licensee or registrant his license or certificate in conformity therewith.

Section XVIII. A. The pendency of an appeal or writ of certiorari shall not of itself stay or suspend the operation of any order of revocation or dismissal of a complaint but during the pendency of such suit or appeal, the Circuit or Superior Court or the Supreme Court, as the case may be, in its discretion, may stay the operation of such order of the Department. No such stay shall be granted by the Court otherwise than upon 10 days' notice to the complainant, registrant and the Department and after a hearing before the Court or in justice thereof.

B. An order of revocation or dismissal of a complaint or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that;

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Board of Plumbing Examiners and the members thereof are qualified to act.

Section XIX. A. Appeals from all final orders and judgments entered by a circuit or superior court in review of an order of the Department, as provided in Section 16 of this Act may be taken directly to the Supreme Court

by either party to the cause or the Department provided that such appeal shall be governed and conform to the law and rules of courts applying to appeal under the Civil Practice Act of Illinois.

Section XX. A. The Judicial determination that any section, paragraph, provision or sentence of this Act is unconstitutional, shall not in any way affect the Constitutionality of any other sentence, provision, paragraph or section hereof.

Section XXI. A. Any person violating any provision of this Act shall be guilty of a misdemeanor and subject to a fine of not less than \$25.00 and not more than \$500.00 or by confinement in the county jail not more than 6 months, either or both in the discretion of the Court, for a first offense and for a second and subsequent violation of this Act shall be subject to a fine of not less than \$50.00 and confinement in the county jail for not more than 1 year as the Court may decide.

B. All fines and penalties shall inure to the Department. It shall be the duty of the States Attorney of the County where an offense under the provisions of this Act is committed to prosecute all persons violating any of the provisions of this Act upon complaint being made.

Section XXII. This Act is hereby designated as THE ILLINOIS PLUMBING LICENSE LAW.

Section XXIII. An Act entitled "An Act to provide for the licensing of plumbers and to provide for the inspection and supervision of plumbing and to provide penalties for the violation thereof, filed June 29th, 1917, in force July 1st, 1917," and all amendments thereto and all Acts and parts of Acts inconsistent therewith are hereby repealed.

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STATE OF ILLINOIS
HENRY HORNER, Governor



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THE ILLINOIS PLUMBING LICENSE LAW (AS AMENDED)

DEPARTMENT OF
REGISTRATION and EDUCATION

JOHN J. HALLIHAN
Director

SPRINGFIELD

[Printed by authority of the State of Illinois]

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THE ILLINOIS PLUMBING LICENSE LAW

An Act in relation to the regulation of plumbing and licensing of Master Plumbers, Journeyman Plumbers and registration of Plumber's Apprentices, and for the protection of public health, and repeal of a certain Act therein named, approved June 17, 1935, as amended by an Act filed July 13, 1937, an Act approved July 19, 1939, an Act approved July 20, 1939, and an Act filed July 26, 1939.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. A. The word or term PLUMBING as used in this Act means and shall include:

1. All piping, fixtures, appurtenances and appliances for a supply of water for all personal or domestic purposes in and about buildings where a person or persons live, work or assemble. Plumbing as used herein shall also include piping, fixtures, appurtenances and appliances for a sanitary drainage and related ventilation system within a building, and all piping, fixtures, appurtenances and appliances outside a building connecting the building with the source of water supply on the premises or the main in the street, alley or at the curb.

2. All piping, fixtures, appurtenances, appliances, drain or waste pipes carrying domestic sewage from the foundation walls of a building to the sewer service lateral at the curb or in the street or alley or other disposal terminal holding private or domestic sewage.

3. Plumbing shall also include the installation, repair, maintenance and work upon and connection with such piping, fixtures, appliances, appurtenances, drain or waste pipes,

except minor repairs by a person upon his own premises.

However, the word or term plumbing, as used in this Act, shall not mean or include, and nothing in this Act shall be held or construed to have any application to, piping, fixtures, appurtenances and appliances, or drain or waste pipes, in and about any building or other structure located upon property outside the corporate limits of a city, village or incorporated town and not subdivided into lots or blocks pursuant to "An Act to revise the law in relation to plats", approved March 21, 1874, as amended.

B. DEPARTMENT as the word or term is used in this Act shall mean the Department of Registration and Education of the State of Illinois.

C. The Term or Word BOARD, as used in this Act, shall mean the Illinois State Board of Plumbing Examiners.

D. A MASTER PLUMBER, within the meaning of this Act, is a person who has a license in effect as provided in this Act from the Illinois Department of Registration and Education specifying such person therein as a Master Plumber.

E. A JOURNEYMAN PLUMBER within the meaning of this Act is a person other than a Master Plumber who has a license in effect as provided in this Act from the Illinois Department of Registration and Education specifying such person as a Journeyman Plumber.

F. A PLUMBER'S APPRENTICE, within the meaning of this Act, is a person in this State other than a Master or Journeyman Plumber who has in effect a certificate of registration as provided in this Act specifying such

person as a Plumber's Apprentice. (As amended by Act filed July 26, 1939.)

Sec. 2. A. No person shall engage in this State in the business of a Master Plumber, or as an employer of a Journeyman Plumber or Plumber's Apprentice or shall enter into contracts or agreements for the installation, maintenance or repair of plumbing or perform any of the acts specified in this Act for performance by a Master Plumber unless such person has in effect a certificate of license from the Department specifying such person as a Master Plumber.

B. No person shall engage in this State as a Journeyman Plumber unless such person has in effect a Journeyman Plumber's license from the Department specifying such person as a Journeyman Plumber.

C. No person shall be employed as a Plumber's Apprentice in this State or enter and continue in the occupation of a Plumber's Apprentice unless such person has in effect a certificate of registration from the Department specifying such person as a registered Plumber's Apprentice.

D. No firm, association or partnership shall engage in the plumbing business in this State or represent themselves as plumbing contractors or plumbers in the business of plumbing or any of its branches, unless at least one active member or partner thereof continually engaged in the conduct, supervision or performance of the firm, association or partnership business shall be a licensed Master Plumber as provided in this Act.

E. No corporation shall engage in this State in the plumbing business or represent itself as a plumbing contractor unless a licensed Master Plumber as provided in this Act shall engage

in the supervision of its plumbing installation and work and unless further a licensed Master Plumber as provided in this Act shall be an active corporate official of such corporation, actively and continually engaged in its plumbing business.

F. Every individual, partnership, firm, association or corporation, engaged in the plumbing business in this State with sites or places of business in different cities of this State, shall have at least one licensed Master Plumber as provided in this Act continually in charge and supervision in each city, where a site or place of plumbing business is so operated.

G. No person in this State shall be permitted in any event to hold at the same time a license as a Journeyman Plumber and also a license as a Master Plumber and no person licensed as a Journeyman Plumber shall perform any of the acts or projects specified in this Act for performance by a Master Plumber.

H. No city, town, village, county, park district, municipal corporation or other sub-division of government in this State shall engage in the installation, maintenance or repair of plumbing unless such installation, maintenance, repair or work is carried on under the supervision of one or more Master Plumbers in the employ of such city, town, park district, county or subdivision of government, provided nothing in this Section shall be construed to prevent any subdivision of government from contracting for plumbing with an individual, firm, partnership, association or corporation authorized to do plumbing business in this State.

Sec. 3. A. A Master Plumber holding a license in effect from the Department specifying such person as a Master Plumber is authorized to engage in the business of a plumbing contractor and also in planning, engineering, superintending, installation, maintenance and

repair with respect to plumbing in all its branches and such person, as a Master Plumber is authorized to employ Journeyman Plumbers and Plumber's Apprentices and other persons necessary for the proper conduct of the business of plumbing.

B. A Journeyman Plumber holding a license in effect from the Department specifying such person as a Journeyman Plumber is authorized to engage in the plumbing business only as an employee of a licensed Master Plumber, partnership, firm or corporation, authorized to engage in the plumbing business. A Journeyman Plumber as such employee may engage in the installation, maintenance and repair of plumbing in all its branches provided that such Journeyman Plumber may only continue in the performance of his occupation under the general supervision of a licensed Master Plumber.

C. A Plumber's Apprentice holding a certificate of registration in effect is authorized to engage in the employment of learning the plumbing trade, but may only engage and continue in the plumbing trade as an employee of a licensed Master Plumber, firm, partnership or corporation, authorized to engage in the plumbing business, and under the direct personal supervision of a licensed Master Plumber, or a licensed Journeyman Plumber, in the employ of a licensed Master Plumber; provided that no Plumber's Apprentice in this State shall engage or work in the performance of acts as a Master Plumber or a Journeyman Plumber.

Any master plumber or journeyman plumber holding a license issued by the Department is permitted to engage in the business of a master Plumber or as a journeyman plumber any place in this state including any city, village or incorporated town having a population of five hundred thousand (500,000) or more inhabitants.

B. The Board shall aid and cooperate with the Director of the Department by:

1. Preparing forms for applications for examinations for licenses and registrations.

2. In preparing subject matter, questions and all necessary items for examination as provided in this Act.

3. In preparation of rules to govern examinations and registrations and hearings for revocation and reinstatement of licenses and certificates of registration.

4. To act as a committee to make written reports and recommendations to the Director of the Department.

5. Such other duties for the purposes of carrying out the provisions of this Act as such duties are from time to time prescribed by the Director of the Department.

C. The members of the Board shall be paid at the rate of \$10.00 per day for actual time devoted in performing the duties specified in this Act. The members shall also be reimbursed for traveling expenses necessary in performance of such duties. (As amended by Act approved July 19, 1939.)

NOTE: The second subsection B and C were inadvertently transposed in the engrossed law from Section IV which follows:

Sec. 4. A. There is hereby created in the State of Illinois a State Board of Plumbing Examiners which shall exercise its duties and powers as provided in this Act under the supervision of the Department. The Board shall be composed of persons designated from time to time by the Director of the Department. It shall be composed of one licensed Master

Plumber who has had a Master Plumber's license in effect for at least 2 years, and one licensed Journeyman Plumber who has had a Journeyman Plumber's license in effect for at least 2 years, and a third member designated by the Director. In making the appointments of licensed Master Plumbers to the Board, the Director shall give due consideration to the recommendations of the Illinois Master Plumbers Association as communicated to the Director in writing by the Secretary of the Illinois Master Plumbers Association. In making the appointments of licensed Journeyman Plumbers to the Board the Director shall give due consideration to the recommendations of the Illinois Association of Journeyman Plumbers and Steamfitters as conveyed to the Director in writing by the Secretary of the Illinois Association of Journeyman Plumbers and Steamfitters.

Sec. 5. A. The Director of the Department of Registration and Education of the State of Illinois is hereby imposed with the responsibility and duty:

1. To designate members of the State Board of Plumbing Examiners.

2. With the aid of the Board to prepare forms for application for examinations as provided hereinafter.

3. To prepare license certificates and certificates of registration and issue the same in conformity with this Act.

4. With the aid and cooperation of the Board to prescribe rules and regulations for the conduct of examinations of applicants for licenses and to prepare the subject matter of such examinations.

5. To prescribe rules and regulations consistent with the provisions of this Act for hear-

ings to revoke, or reinstate certificates of license as provided in this Act with the aid and written recommendations of the Board.

6. To maintain an up to date record specifying names and addresses of licensed Master and Journeyman Plumbers of this State and registered Plumber's Apprentices. Such record shall show dates of issuance of all license certificates and certificates of registration and be subject to public inspection. Such record shall also show dates of filing of complaints and the nature of such complaints for revocation of licenses or certificates of registration and the date of, as well as the final order upon, such complaints.

7. To prescribe standards for what shall constitute a recognized college or university, and to determine the conformance to such standards.

Sec. 6. A. Any applicant for a certificate of license of Master Plumber in this State shall present his application therefor to the Department on the printed form provided for applicants by the Department for Master Plumber's license. No application for a certificate of license of a Master Plumber shall be filed by the Department nor shall any applicant be permitted to take the examination for the certificate of license for a Master Plumber, unless:

1. The application is accompanied by an application fee of \$100.00 for the first examination, \$25.00 for the second examination, \$25.00 for the third examination and \$100.00 for each examination thereafter payable to the Department.

2. Unless the applicant is a citizen of the United States.

3. Unless the application is accompanied with affidavits of applicant's employer or former employer or other satisfactory evidence

showing the applicant has been actually engaged as a licensed Journeyman Plumber for at least five years, or that such applicant has been graduated from a recognized college or university in the course of plumbing or sanitary engineering or mechanical engineering or civil engineering or architectural engineering, and has also been employed by a licensed Master Plumber for at least two years as a licensed Journeyman Plumber, or that the applicant has been a student in a recognized college or university and has pursued a course in plumbing or sanitary engineering or mechanical engineering or civil engineering or architectural engineering for at least three years and has thereafter been employed as a licensed Journeyman Plumber by a Master Plumber for at least three years.

B. Any applicant for a certificate of license of Journeyman Plumber in this State shall present his application therefor to the Department on the printed form provided by the Department for Journeyman Plumber's license. No application for a certificate of license of a Journeyman Plumber shall be filed by the Department nor shall any applicant be permitted to take the examination for the certificate of license of a Journeyman Plumber, unless:

1. Accompanied by a fee of \$25.00 for the first examination, \$10.00 for the second examination, \$10.00 for the third examination and \$25.00 for each examination thereafter payable to the Department.

2. The application is accompanied by affidavit of the applicant's employer or former employer or other satisfactory evidence that the applicant has been occupied as a Plumber's Apprentice for at least 5 years, or that the applicant has pursued a course in plumbing or sanitary engineering or mechanical engineer-

ing or civil or architectural engineering for at least 3 years in a recognized college or university, and has also served 2 years as a registered plumber's apprentice.

C. Any applicant for a certificate of registration of a plumber's apprentice shall present his application on the form provided by the Department for application of a Plumber's Apprentice, provided that no such application shall be filed unless:

1. The application contains satisfactory evidence that the applicant is at least sixteen years of age.

2. The application is accompanied by an affidavit of a licensed Master Plumber that the applicant is to be immediately employed by such Master Plumber upon the issuance of the certificate of registration.

D. Any applicant for a certificate of license of Master Plumber or any applicant for certificate of license of a Journeyman Plumber who shall *before October 1, 1937*, present to the Department satisfactory evidence in writing that he has a Master Plumber's license or a Journeyman Plumber's license issued by virtue of the Illinois Plumbing Law in force July 1st, 1917, shall have issued to him by the Department either a certificate of license of a Master Plumber or a certificate of license of a Journeyman Plumber as the case may be without any additional application, evidence, examination, filing fee or other condition precedent.

E. Any person who holds a certificate of license of a Master Plumber or a Journeyman Plumber or a certificate of registration of a Plumber's Apprentice, shall notify the Department promptly in the event of change of his address from the address specified in his certificate of license of a Master Plumber or Journeyman Plumber or certificate of registration

of a Plumber's Apprentice. (As amended by Act approved July 20, 1939.)

Sec. 7. A. The Department shall provide and conduct examinations at least four times each year of applicants who have had their applications for certificate of Master Plumber's license placed on file with the Department and also provide and conduct examinations at least four times each year for applicants who have had their application of license of a Journeyman Plumber placed on file with the Department. Any applicant who has had his application placed on file with the Department at least ten days prior to the date set for either the examination of Master Plumber or Journeyman Plumber shall be permitted to take the examination. All such examinations shall be conducted by the Department with the aid and cooperation of the Board and shall be conducted at places designated by the Department within the State consistent with the reasonable convenience of applicants.

B. The Director of the Department shall allow or deny applications for certificate of Master Plumber's license or Journeyman Plumber's license upon the recommendation of the Board, respecting each applicant as soon after such examination as practicable. Each applicant who has successfully passed the examination and has had his application allowed for a certificate of license of either a Master Plumber or a Journeyman Plumber, as the case may be, shall have issued and mailed to him by the Department at his address on the application a certificate, specifying such person as a Master Plumber or a Journeyman Plumber, as the case may be. All applicants who have failed to pass the examination and have had their application denied shall also be notified by mail directed to the applicant's address shown on the application.

C. All certificates of license and of registration shall be issued by the Department in the name of the Department with the seal thereof attached.

D. No applicant who has failed in his first examination for either a Master or a Journeyman Plumber's license shall be permitted to take a second examination until after the expiration of six months following the date of the first examination of which such applicant failed; nor to take a third examination until after the expiration of six months following the date of the second examination; nor to take any subsequent examination until after the expiration of one year following his last previous examination; provided such applicant, in order to take successive examinations, shall pay the fees required in the previous section.

E. All certificates of license of Master and Journeyman Plumbers shall expire on May 1st next following date of issuance. Every license of either a Master or Journeyman Plumber issued by the Department may be renewed for a period of one year from each succeeding May 1st, upon the payment during the month of April of an annual renewal fee of \$25.00 for a Master Plumber and \$2.00 for a Journeyman Plumber's license. Certificates of license having expired for failure of the holder to pay such renewal fee shall be reinstated by the Department; provided, that within 6 months following the date of expiration the holder shall pay to the Department a penalty of \$10.00 in addition to the annual renewal fee for Master Plumbers and \$1.00 in addition to the annual renewal fee for Journeyman Plumbers. All certificates of either Master or Journeyman Plumbers having expired for failure to pay such renewal fee and not reinstated within 6 months as provided in this Section shall stand revoked and no new certificates of license shall

be issued except as provided in the case of original applicants.

F. Every applicant who has had his application for certificate of registration of a Plumber's Apprentice filed by the Department shall immediately have issued to him a certificate of registration under the seal of the Department specifying such applicant as a Plumber's Apprentice and such certificate shall be for a term of 5 years. Every applicant for certificate of registration of a Plumber's Apprentice shall be required to pay a filing fee of \$1.00. No such applicant shall be required to take an examination or perform any other condition precedent for the issuance of said certificate except as provided in this Act. (As amended by Act approved July 20, 1939.)

Sec. 8. A. In every place in this State within and from which a plumbing business is conducted as specified for a Master Plumber there shall be at all times on display a certificate of license in effect of a Master Plumber as provided in this Act. Any person, partnership, firm, association or corporation engaged in the plumbing business in two or more places of business within the same village, town or city shall display in each place of business either a certificate of license in effect of a Master Plumber as provided in this Act or a branch office certificate of license in effect of Master Plumber to be issued by the Department upon application, provided, that in the principal place of business of such individual, partnership, firm, association or corporation there shall be displayed an original certificate of a Master Plumber in effect as provided in this Act.

Sec. 9. Any city, village or incorporated town having a population of five hundred thousand or more, may, by ordinance, provide for a

board of plumbing examiners to conduct examinations for journeyman plumbers and master plumbers, to register plumbers' apprentices, and to issue and revoke plumbers' licenses within such city, village or incorporated town. The provisions of this Act except as otherwise herein provided, shall not apply within any such city, village or incorporated town which enacts such ordinance.

Any person authorized under the provisions of this section to engage as a master plumber or journeyman plumber in any such city, village or incorporated town is authorized to engage as a master plumber or journeyman plumber anywhere in this state.

Nothing contained in this Act shall prohibit any city, village or incorporated town from providing for a plumbing inspector or from requiring permits for the installation and repair of plumbing and collecting a fee therefor. (As amended by Act approved July 19, 1939.)

Sec. 10. A. It is hereby declared to be the policy of this State that each city, town or village with a system of water supply or sewage or both should so soon after the enactment of this Act as practicable, with the advice of the State Department of Health, provide by Ordinance, by-laws or rules and regulations for the materials, construction, alteration, and inspection of all plumbing placed in or in connection with any building in any such city, town or village and to provide for and appoint a competent plumbing inspector or more as required. Such appointee shall be a Master Plumber or a Journeyman Plumber with a license of a Journeyman Plumber in effect at least 5 years.

B. The Department of Public Health shall conduct inquiry in any city, town or village, or at any other place in the State when rea-

sonably necessary in the judgment of the Director of the Department of Health to safeguard the health of any person or persons in this State on account of any piping or appurtenant appliances within any building or outside, when such piping and appliances are for the use of plumbing as defined in this Act and for the use of carrying sewage or waste within or from any building.

C. The Department of Public Health may conduct such inquiries in any city, town or village in this State by directing the plumbing inspector thereof to aid in or conduct such inquiry or investigation in behalf of the Department of Public Health, or the Department of Public Health may designate some other person or persons to conduct such investigation.

Sec. 11. A. The Department of Registration and Education shall revoke the certificate of license of any Master Plumber or any Journeyman Plumber, or certificate of registration of any Plumber's Apprentice, after hearing when the weight of the evidence establishes any one or more of the following specific violations:

1. For having obtained or conspired with others to obtain a certificate of license of a Master Plumber or Journeyman Plumber or certificate of registration of a Plumber's Apprentice by inducing the issuance of such license or certificate of registration in consideration of the payment of money or any other thing of value, or by and through a wilful or fraudulent misrepresentation of facts in pursuance thereof.

2. Wilful violation of any Plumbing Ordinance, or by-laws of any city, town or village or of any law of this State regulating the conduct of plumbing work.

3. On account of knowingly aiding or assisting any person to engage in the work specified for a Master Plumber or a Journeyman Plumber or a Plumber's Apprentice, when such person has not a license or certificate of registration in effect as provided in this Act.

4. Because of any Master Plumber or Journeyman Plumber or Plumber's Apprentice wilfully and fraudulently loaning his certificate of license or registration to any other person for the purpose of permitting such person to engage in any plumbing work in violation of the provisions of this Act.

5. In the event any licensee or registrant as provided in this Act, shall be convicted of a felony.

6. On account of any wilful violation of any of the provisions of this Act.

7. No proceedings to revoke a license or certificate of registration as provided in this Section, shall be instituted unless filed with the Department of Registration and Education within 3 years next after the date or dates of violation provided that in the event the licensee or registrant is outside the State of Illinois subsequent to the commission of any violation as provided herein, the time during which he is absent from the State of Illinois shall not be included as a part of such 3 years of limitation.

Sec. 12. A. No license of a Master Plumber or Journeyman Plumber or certificate of registration of a Plumber's Apprentice shall be revoked or cancelled until after a full and impartial hearing as provided in this section.

1. No hearing for the purpose of revoking any license of a Master Plumber or license of a Journeyman Plumber or certificate of a

Plumber's Apprentice shall be held unless there is first placed on file with the Department a verified complaint in writing reciting therein with reasonable particularity a statement of facts which if proved would be sufficient to constitute a violation of one or more of the specifications for revocation of license or certificate set forth in Section 2 of this Act.

2. Upon the filing of a verified complaint as provided herein the Department shall promptly set a date for a hearing of the charges of the complaint which shall be held either in the City of Chicago or the City of Springfield in this State. The Department shall promptly mail to the licensee or registrant charged in the Complaint a true and correct copy of such complaint and notification of the time and place when and where a hearing of such charges shall be had. Such copy of the complaint and notification shall be served on the licensee or registrant at least 20 days prior to the date therein set for the hearing either by delivery of the same personally to the licensee or registrant or by mailing the same by registered mail to the last known place of address of such licensee or registrant.

3. At the time and place fixed in such notification the Board of Plumbing Examiners under supervision of the Department shall proceed to a hearing of the charges specified in the complaint. No hearing upon the charges of the complaint shall be had unless the records of the Department contain evidence that the licensee or registrant charged in the complaint has been so served with a copy of the complaint and notification at least 20 days prior to the date of such hearing, provided that the appearance of the licensee or registrant so charged, either in his own behalf or by counsel, shall constitute proof that sufficient notice of the hearing was served.

4. A complaining party by himself or by counsel may aid in the presentation of evidence toward sustaining the complaint. Ample opportunity shall be accorded for hearing of all evidence and statement of counsel either in support of or against the charges of the complaint. Upon good cause shown the date of the hearing on the Complaint may be continued provided the licensee or registrant and other interested parties shall be reasonably notified about the date of the continuance.

B. The Department shall have power to subpoena and bring before it or the Board of Plumbing Examiners, to any hearing, any person in this State to give evidence and to take testimony, either orally or by deposition, or both, and to issue subpoena duces tecum for any books and records or other documents necessary or relevant at any hearing, with the same fees and mileage and in the same manner as prescribed by law in Judicial Procedure in civil cases in Courts of this State.

C. The Director, Assistant Director, Superintendent of Registration and any member of the State Board of Plumbing Examiners shall have power to administer oaths to witnesses at a hearing which the Department is authorized by law to conduct and any other oaths authorized or administered by the Department.

Sec. 13. A. Any Circuit or Superior Court or any Judge thereof, either in term time or vacation upon the application of the licensee or registrant or complainant or of the Department, may by order duly entered require the attendance of witnesses and the production of relevant books and papers before the Department or the Board in any hearing upon a complaint as provided in this Act and may compel obedience to its or his order by proceedings for contempt.

Sec. 14. A. The Department at its expense shall provide a stenographer to take down the testimony and to preserve a record of all proceedings at the hearing upon any complaint. The complaint and other documents in the nature of pleadings and other motions filed in the proceedings, the transcript of testimony, report of the committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person upon payment therefor of 24c per 100 words for each original transcript and 6c per 100 words for each carbon copy thereof.

Sec. 15. A. The State Board of Plumbing Examiners upon completion of any hearing held on a verified complaint shall present to the Director of Registration and Education a written report of their findings and recommendations. The Director of the Department shall thereupon order that the license or certificate of the licensee or registrant charged in the complaint shall be revoked or that the complaint shall be dismissed in accordance with the recommendations of the Board. A copy of such order shall immediately be served upon the licensee or registrant either personally or by registered mail. The order of the Department shall be final unless the licensee or registrant so charged, or complainant, shall within 20 days after receipt of such order file with the Department his motion in writing for a rehearing specifying therein the points and reasons therefor. The filing of a motion for rehearing shall stay the operation of the order pending a final decision on such motion. A motion for a rehearing shall be immediately referred by the Director to the Board for recommendations thereon. If the motion is allowed by the Director, the Board shall proceed as in the case of original hearing on a complaint. Not more than one rehearing

on any complaint shall be granted. The decision of the Department shall be final upon questions of fact.

Sec. 16. A. The Circuit or Superior Court of the County wherein the licensee or registrant so charged resides shall have power to review the entire proceedings of any hearing had before the Board or Department and to review any order dismissing a complaint or revocation of a license or certificate and all questions of law presented by such record provided a Writ of Certiorari issued out of such Court within 20 days next after receipt of notification of the determination of the petition for rehearing in the case as provided in Section 15 of this Act. In the event the licensee or registrant so charged has no definite place of residence in any County in this State as shown by the Records of the Department, the Circuit or Superior Court of Cook County or the Circuit Court of Sangamon County shall have power to review such transcript and proceedings and orders of the Department.

B. Such Writ of Certiorari shall be issued by the Clerk of the Court immediately upon the filing of a praecipe therefor. Such Writ of Certiorari shall be directed to the Director, Assistant Director or Superintendent of the Department of Registration and Education of the State of Illinois by registered mail. The certificate of the Clerk that such Writ of Certiorari has been so mailed to the Department of Registration and Education will constitute evidence that proper service has been made. The Clerk of the Court shall also direct by registered mail, notification to the complainant in such proceedings and also notification by registered mail to the licensee or registrant charged in said proceedings, as such complaint and licensee or registrant is shown

on the praecipe together with their last known address. The notification of the proceedings so issued by the Clerk of the Court shall advise the date the praecipe was filed, the title of the cause and the return day thereof. The Department upon receipt of the Writ of Certiorari shall immediately prepare a complete transcript of the record and proceedings in said cause certified as to correctness by the Director of the Department and transmit the same to the Clerk of the Court. Immediately upon receipt thereof the Clerk shall set the earliest date convenient for the Court for a hearing before the Court of such Writ of Certiorari and notify counsel of record respecting such date of hearing.

C. No praecipe for Writ of Certiorari shall be filed in any Court unless accompanied by a receipt of the Department of Registration and Education acknowledging payment of the record of proceedings to be transcribed in the cause.

D. The Circuit or Superior Court shall upon hearing review the record of proceedings had before the Department and Board of Plumbing Examiners and shall either confirm or reverse the order of the Department. The Court may in its discretion remand the cause to the Department for further proceedings.

E. No Department order of revocation or dismissal shall be set aside or vacated on any ground not specified in the written motion for rehearing provided for in Section 15.

Sec. 17. A. At any time after the final revocation of a license or certificate of registration, the Department may upon a written verified application of the licensee or registrant for restoration of such license or certificate of registration refer said application to the Board for hearing and recommendation.

In the event the Board recommends that such license or certificate of registration shall be restored the Department shall so order and issue to the licensee or registrant his license or certificate in conformity therewith.

Sec. 18. A. The pendency of an appeal or writ of certiorari shall not of itself stay or suspend the operation of any order of revocation or dismissal of a complaint but during the pendency of such suit or appeal, the Circuit or Superior Court or the Supreme Court, as the case may be, in its discretion, may stay the operation of such order of the Department. No such stay shall be granted by the Court otherwise than upon 10 days' notice to the complainant, registrant and the Department and after a hearing before the Court or in justice thereof.

B. An order of revocation or dismissal of a complaint or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that:

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Board of Plumbing Examiners and the members thereof are qualified to act.

Sec. 19. A. Appeals from all final orders and judgments entered by a circuit or superior court in review of an order of the Department, as provided in Section 16 of this Act may be taken directly to the Supreme Court by either party to the cause or the Department provided that such appeal shall be governed and conform to the law and rules of

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courts applying to appeal under the Civil Practice Act of Illinois.

Sec. 20. A. The Judicial determination that any section, paragraph, provision or sentence of this Act is unconstitutional, shall not in any way affect the Constitutionality of any other sentence, provision, paragraph or section hereof.

Sec. 21. A. Any person violating any provision of this Act shall be guilty of a misdemeanor and subject to a fine of not less than \$25.00 and not more than \$500.00 or by confinement in the county jail not more than 6 months, either or both in the discretion of the Court, for a first offense and for a second and subsequent violation of this Act shall be subject to a fine of not less than \$50.00 and confinement in the county jail for not more than 1 year as the Court may decide.

B. All fines and penalties shall inure to the Department. It shall be the duty of the States Attorney of the County where an offense under the provisions of this Act is committed to prosecute all persons violating any of the provisions of this Act upon complaint being made.

Sec. 22. This Act is hereby designated as THE ILLINOIS PLUMBING LICENSE LAW.

Sec. 23. An Act entitled "An Act to provide for the licensing of plumbers and to provide for the inspection and supervision of plumbing and to provide penalties for the violation thereof, filed June 29th, 1917, in force July 1st, 1917," and all amendments thereto and all Acts and parts of Acts inconsistent therewith are hereby repealed.





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THE ILLINOIS PLUMBING LICENSE LAW

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THE ILLINOIS PLUMBING LICENSE LAW

An Act in relation to the regulation of plumbing and licensing of Master Plumbers, Journeyman Plumbers and registration of Plumber's Apprentices, and for the protection of public health, and repeal of a certain Act therein named. (Filed June 17, 1935.)

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section I. A. The word or term Plumbing as used in this Act means and shall include:

1. All piping, fixtures, appurtenances and appliances for a supply of water for all personal or domestic purposes in and about buildings where a person or persons live, work or assemble. Plumbing as used herein shall also include piping, fixtures, appurtenances and appliances for a sanitary drainage and related ventilation system within a building, and all piping, fixtures, appurtenances and appliances outside a building connecting the building with the source of water supply on the premises or the main in the street, alley or at the curb.

2. All piping, fixtures, appurtenances, appliances, drain or waste pipes carrying domestic sewage from the foundation walls of a building to the sewer service lateral at the curb

or in the street or alley or other disposal terminal holding private or domestic sewage.

3. Plumbing shall also include the installation, repair, maintenance and work upon and connection with such piping, fixtures, appliances, appurtenances, drain or waste pipes, except minor repairs by a person upon his own premises.

However, the word or term plumbing, as used in this Act, shall not mean or include, and nothing in this Act shall be held or construed to have any application to, piping, fixtures, appurtenances and appliances, or drain or waste pipes, in and about any building or other structure located upon property outside the corporate limits of a city, village or incorporated town and not subdivided into lots or blocks pursuant to "An Act to revise the law in relation to plats", approved March 21, 1874, as amended.

B. Department as the word or term is used in this Act shall mean the Department of Registration and Education of the State of Illinois.

C. The term or word Board, as used in this Act, shall mean the Illinois State Board of Plumbing Examiners.

D. A Master Plumber, within the meaning of this Act, is a person who has a license in effect as provided in this Act from the Illinois Department of Registration and Education specifying such person therein as a Master Plumber.

E. A Journeyman Plumber, within the meaning of this Act, is a person other than a Master Plumber who has a license in effect as provided in this Act from the Illinois Department of Registration and Education specifying such person as a Journeyman Plumber

F. A Plumber's Apprentice, within the meaning of this Act, is a person in this State other than a Master or Journeyman Plumber who has in effect a certificate of registration as provided in this Act specifying such person as a Plumber's Apprentice. (As amended by Act filed July 26, 1939.)

Section II. A. No person shall engage in this State in the business of a Master Plumber, or as an employer of a Journeyman Plumber or Plumber's Apprentice or shall enter into contracts or agreements for the installation, maintenance or repair of plumbing or perform any of the acts specified in this Act for performance by a Master Plumber unless such person has in effect a certificate of license from the Department specifying such person as a Master Plumber.

B. No person shall engage in this State as a Journeyman Plumber unless such person has in effect a Journeyman Plumber's license from the Department specifying such person as a Journeyman Plumber.

C. No person shall be employed as a Plumber's Apprentice in this State or enter and continue in the occupation of a Plumber's Apprentice unless such person has in effect a certificate of registration from the Department specifying such person as a registered Plumber's Apprentice.

D. No firm, association or partnership shall engage in the plumbing business in this State or represent themselves as plumbing contractors or plumbers in the business of plumbing or any of its branches, unless at least one active member or partner thereof continually engaged in the conduct, supervision or performance of the firm, association or partnership business shall be a licensed Master Plumber as provided in this Act.

E. No corporation shall engage in this State in the plumbing business or represent itself as a plumbing contractor unless a licensed Master Plumber as provided in this Act shall engage in the supervision of its plumbing installation and work and unless further a licensed Master Plumber as provided in this Act shall be an active corporate official of such corporation, actively and continually engaged in its plumbing business.

F. Every individual, partnership, firm, association or corporation, engaged in the plumbing business in this State with sites or places of business in different cities of this State, shall have at least one licensed Master Plumber as provided in this Act continually in charge and supervision in each city, where a site or place of plumbing business is so operated.

G. No person in this State shall be permitted in any event to hold at the same time a license as a Journeyman Plumber and also a license as a Master Plumber and no person licensed as a Journeyman Plumber shall perform any of the acts or projects specified in this Act for performance by a Master Plumber.

H. No city, town, village, county, park district, municipal corporation or other subdivision of government in this State shall engage in the installation, maintenance or repair of plumbing unless such installation, maintenance, repair or work is carried on under the supervision of one or more Master Plumbers in the employ of such city, town, park district, county or subdivision of government, provided nothing in this Section shall be construed to prevent any subdivision of government from contracting for plumbing with an individual, firm, partnership, association or corporation authorized to do plumbing business in this State.

Section III. A. A Master Plumber holding a license in effect from the Department specifying such person as a Master Plumber is authorized to engage in the business of a plumbing contractor and also in planning, engineering, superintending, installation, maintenance and repair with respect to plumbing in all its branches and such person, as a Master Plumber is authorized to employ Journeyman Plumbers and Plumber's Apprentices and other persons necessary for the proper conduct of the business of plumbing.

B. A Journeyman Plumber holding a license in effect from the Department specifying such person as a Journeyman Plumber is authorized to engage in the plumbing business only as an employee of a licensed Master Plumber, partnership, firm or corporation, authorized to engage in the plumbing business. A Journeyman Plumber as such employee may engage in the installation, maintenance and repair of plumbing in all its branches provided that such Journeyman Plumber may only continue in the performance of his occupation under the general supervision of a licensed Master Plumber.

C. A Plumber's Apprentice holding a certificate of registration in effect is authorized to engage in the employment of learning the plumbing trade, but may only engage and continue in the plumbing trade as an employee of a licensed Master Plumber, firm, partnership or corporation, authorized to engage in the plumbing business, and under the direct personal supervision of a licensed Master Plumber, or a licensed Journeyman Plumber, in the employ of a licensed Master Plumber; provided, that no Plumber's Apprentice in this State shall engage or work in the performance of acts as a Master Plumber or a Journeyman Plumber.

Any master plumber or journeyman plumber holding a license issued by the Department is permitted to engage in the business of a master plumber or as a journeyman plumber any place in this state including any city, village or incorporated town having a population of five hundred thousand (500,000) or more inhabitants.

B. The Board shall aid and cooperate with the Director of the Department by:

1. Preparing forms for applications for examinations for licenses and registrations.

2. In preparing subject matter, questions and all necessary items for examination as provided in this Act.

3. In preparation of rules to govern examinations and registrations and hearings for revocation and reinstatement of licenses and certificates of registration.

4. To act as a committee to make written reports and recommendations to the Director of the Department.

5. Such other duties for the purposes of carrying out the provisions of this Act as such duties are from time to time prescribed by the Director of the Department.

C. The members of the Board shall be paid at the rate of \$10.00 per day for actual time devoted in performing the duties specified in this Act. The members shall also be reimbursed for traveling expenses necessary in performance of such duties. (As amended by Act approved July 19, 1939.)

(Note: The second subsections B and C were inadvertently transposed in the engrossed law from Section IV, post.)

Section IV. A. There is hereby created in the State of Illinois a State Board of Plumbing Examiners which shall exercise its duties and

powers as provided in this Act under the supervision of the Department. The Board shall be composed of persons designated from time to time by the Director of the Department. It shall be composed of one licensed Master Plumber who has had a Master Plumber's license in effect for at least 2 years, and one licensed Journeyman Plumber who has had a Journeyman Plumber's license in effect for at least 2 years, and a third member designated by the Director. In making the appointments of licensed Master Plumbers to the Board, the Director shall give due consideration to the recommendations of the Illinois Master Plumbers Association as communicated to the Director in writing by the Secretary of the Illinois Master Plumbers Association. In making the appointments of licensed Journeyman Plumbers to the Board the Directors shall give due consideration to the recommendations of the Illinois Association of Journeyman Plumbers and Steamfitters as conveyed to the Director in writing by the Secretary of the Illinois Association of Journeyman Plumbers and Steamfitters.

Section V. A. The Director of the Department of Registration and Education of the State of Illinois is hereby imposed with the responsibility and duty:—

1. To designate members of the State Board of Plumbing Examiners.

2. With the aid of the Board to prepare forms for application for examinations as provided hereinafter.

3. To prepare license certificates and certificates of registration and issue the same in conformity with this Act.

4. With the aid and cooperation of the Board to prescribe rules and regulations for the conduct of examinations of applicants for licenses and to prepare the subject matter of such examinations.

5. To prescribe rules and regulations consistent with the provisions of this Act for hearings to revoke, or reinstate certificates of license as provided in this Act with the aid and written recommendations of the Board.

6. To maintain an up to date record specifying names and addresses of licensed Master and Journeyman Plumbers of this State and registered Plumber's Apprentices. Such record shall show dates of issuance of all license certificates and certificates of registration and be subject to public inspection. Such record shall also show dates of filing of complaints and the nature of such complaints for revocation of licenses or certificates of registration and the date of, as well as the final order upon, such complaints.

7. To prescribe standards for what shall constitute a recognized college or university, and to determine the conformance to such standards.

Section VI. A. Any applicant for a certificate of license of Master Plumber in this State shall present his application therefor to the Department on the printed form provided for applicants by the Department for Master Plumber's license. No application for a certificate of license of a Master Plumber shall be filed by the Department nor shall any applicant be permitted to take the examination for the certificate of license for a Master Plumber, unless:

1. The application is accompanied by an application fee of \$100.00 for the first examination, \$25.00 for the second examination, \$25.00 for the third examination and \$100.00 for each examination thereafter payable to the Department.

2. Unless the applicant is a citizen of the United States.

3. Unless the application is accompanied with affidavits of applicant's employer or former employer or other satisfactory evidence showing the applicant has been actually engaged as a licensed Journeyman Plumber for at least 5 years, or that such applicant has been graduated from a recognized college or university in the course of plumbing or sanitary engineering or mechanical engineering or civil engineering or architectural engineering, and has also been employed by a licensed Master Plumber for at least 2 years as a licensed Journeyman Plumber, or that the applicant has been a student in a recognized college or university and has pursued a course in plumbing or sanitary engineering or mechanical engineering or civil engineering or architectural engineering for at least 3 years and has thereafter been employed as a licensed Journeyman Plumber by a Master Plumber for at least 3 years.

B. Any applicant for a certificate of license of Journeyman Plumber in this State shall present his application therefor to the Department on the printed form provided by the Department for Journeyman Plumber's license. No application for a certificate of license of a Journeyman Plumber shall be filed by the Department nor shall any applicant be permitted to take the examination for the certificate of license of a Journeyman Plumber, unless:

1. Accompanied by a fee of \$25.00 for the first examination, \$10.00 for the second examination, \$10.00 for the third examination and \$25.00 for each examination thereafter payable to the Department.

2. The application is accompanied by affidavit of the applicant's employer or former employer or other satisfactory evidence that the applicant has been occupied as a Plumber's Apprentice for at least 5 years, or that the

applicant has pursued a course in plumbing or sanitary engineering or mechanical engineering or civil engineering or architectural engineering for at least 3 years in a recognized college or university, and has also served 2 years as a registered plumber's apprentice.

C. Any applicant for a certificate of registration of a plumber's apprentice shall present his application on the form provided by the Department for application of a Plumber's Apprentice, provided that no such application shall be filed unless:

1. The application contains satisfactory evidence that the applicant is at least 16 years of age.

2. The application is accompanied by an affidavit of a licensed Master Plumber that the applicant is to be immediately employed by such Master Plumber upon the issuance of the certificate of registration.

D. Any applicant for a certificate of license of Master Plumber or any applicant for certificate of license of a Journeyman Plumber who shall before October 1, 1937, present to the Department satisfactory evidence in writing that he has a Master Plumber's license or a Journeyman Plumber's license issued by virtue of the Illinois Plumbing Law in force July 1st, 1917, shall have issued to him by the Department either a certificate of license of a Master Plumber or a certificate of license of a Journeyman Plumber as the case may be without any additional application, evidence, examination, filing fee or other condition precedent.

E. Any person who holds a certificate of license of a Master Plumber or a Journeyman Plumber or a certificate of registration of a Plumber's Apprentice, shall notify the Department promptly in the event of change of his

address from the address specified in his certificate of license of a Master Plumber or Journeyman Plumber or certificate of registration of a Plumber's Apprentice. (As amended by Act approved July 20, 1939.)

Section VII. A. The Department shall provide and conduct examinations at least 4 times each year of applicants who have had their applications for certificate of Master Plumber's license placed on file with the Department and also provide and conduct examinations at least 4 times each year for applicants who have had their application of license of a Journeyman Plumber placed on file with the Department. Any applicant who has had his application placed on file with the Department at least 10 days prior to the date set for either the examination of Master Plumber or Journeyman Plumber shall be permitted to take the examination. All such examinations shall be conducted by the Department with the aid and cooperation of the Board and shall be conducted at places designated by the Department within the State consistent with the reasonable convenience of applicants.

B. The Director of the Department shall allow or deny applications for certificate of Master Plumber's license or Journeyman Plumber's license upon the recommendation of the Board, respecting each applicant as soon after such examination as practicable. Each applicant who has successfully passed the examination and has had his application allowed for a certificate of license of either a Master Plumber or a Journeyman Plumber, as the case may be, shall have issued and mailed to him by the Department at his address on the application a certificate, specifying such person as a Master Plumber or a Journeyman Plumber, as the case may be. All applicants who have failed to pass the examination and

have had their application denied shall also be notified by mail directed to the applicant's address shown on the application.

C. All certificates of license and of registration shall be issued by the Department in the name of the Department with the seal thereof attached.

D. No applicant who has failed in his first examination for either a Master or a Journeyman Plumber's license shall be permitted to take a second examination until after the expiration of six months following the date of the first examination of which such applicant failed; nor to take a third examination until after the expiration of six months following the date of the second examination; nor to take any subsequent examination until after the expiration of one year following his last previous examination; provided such applicant, in order to take successive examinations, shall pay the fees required in the previous section.

E. All certificates of license of Master and Journeyman Plumbers shall expire on May 1st next following date of issuance. Every license of either a Master or Journeyman Plumber issued by the Department may be renewed for a period of one year from each succeeding May 1st, upon the payment during the month of April of an annual renewal fee of \$25.00 for a Master Plumber and \$2.00 for a Journeyman Plumber's license. Certificates of license having expired for failure of the holder to pay such renewal fee shall be reinstated by the Department; provided, that within 6 months following the date of expiration the holder shall pay to the Department a penalty of \$10.00 in addition to the annual renewal fee for Master Plumbers and \$1.00 in addition to the annual renewal fee for Journeyman Plumbers. All certificates of either Master or

Journeyman Plumbers having expired for failure to pay such renewal fee and not reinstated within 6 months as provided in this Section shall stand revoked and no new certificates of license shall be issued except as provided in the case of original applicants.

However, any Master or Journeyman Plumber whose certificate of license has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate of license renewed without paying any lapsed renewal fees or penalties, or without taking any examination, if within one year after termination of such service, training or education other than by dishonorable discharge, he furnishes the Department with an affidavit to the effect that he has been so engaged and that his service, training or education has been so terminated. (As amended by Act approved July 21, 1941.)

F. Every applicant who has had his application for certificate of registration of a Plumber's Apprentice filed by the Department shall immediately have issued to him a certificate of registration under the seal of the Department specifying such applicant as a Plumber's Apprentice and such certificate shall be for a term of 5 years. Every applicant for certificate of registration of a Plumber's Apprentice shall be required to pay a filing fee of \$1.00. No such applicant shall be required to take an examination or perform any other condition precedent for the issuance of said certificate except as provided in this Act. (As amended by Act approved July 20, 1939.)

Section VIII. A. In every place in this State within and from which a plumbing business is conducted as specified for a Master Plumber there shall be at all times on display a certificate of license in effect of a Master Plumber as provided in this Act. Any person, partnership, firm, association or corporation engaged in the plumbing business in two or more places of business within the same village, town or city shall display in each place of business either a certificate of license in effect of a Master Plumber as provided in this Act or a branch office certificate of license in effect of Master Plumber to be issued by the Department upon application, provided, that in the principal place of business of such individual, partnership, firm, association or corporation there shall be displayed an original certificate of a Master Plumber in effect as provided in this Act.

Section IX. Any city, village or incorporated town having a population of five hundred thousand or more, may, by ordinance, provide for a board of plumbing examiners to conduct examinations for journeyman plumbers and master plumbers, to register plumbers' apprentices, and to issue and revoke plumbers' licenses within such city, village or incorporated town. The provisions of this Act except as otherwise herein provided, shall not apply within any such city, village or incorporated town which enacts such ordinance.

Any person authorized under the provisions of this section to engage as a master plumber or journeyman plumber in any such city, village or incorporated town is authorized to engage as a master plumber or journeyman plumber anywhere in this state.

Nothing contained in this Act shall prohibit any city, village or incorporated town from

providing for a plumbing inspector or from requiring permits for the installation and repair of plumbing and collecting a fee therefor. (As amended by Act approved July 19, 1939.)

Section X. A. It is hereby declared to be the policy of this State that each city, town or village with a system of water supply or sewage or both should so soon after the enactment of this Act as practicable, with the advice of the State Department of Health, provide by Ordinance, by-laws or rules and regulations for the materials, construction, alteration, and inspection of all plumbing placed in or in connection with any building in any such city, town or village and to provide for and appoint a competent Plumbing Inspector or more as required. Such appointee shall be a Master Plumber or a Journeyman Plumber with a license of a Journeyman Plumber in effect for at least 5 years.

B. The Department of Public Health shall conduct inquiry in any city, town or village, or at any other place in the State when reasonably necessary in the judgment of the Director of the Department of Health to safeguard the health of any person or persons in this State on account of any piping or appurtenant appliances within any building or outside, when such piping and appliances are for the use of plumbing as defined in this Act and for the use of carrying sewage or waste within or from any building.

C. The Department of Public Health may conduct such inquiries in any city, town or village in this State by directing the Plumbing Inspector thereof to aid in or conduct such inquiry or investigation in behalf of the Department of Public Health, or the Department of Public Health may designate some other person or persons to conduct such investigation.

Section XI. A. The Department of Registration and Education shall revoke the certificate of license of any Master Plumber or any Journeyman Plumber, or certificate of registration of any Plumber's Apprentice, after hearing when the weight of the evidence establishes any one or more of the following specific violations:

1. For having obtained or conspired with others to obtain a certificate of license of a Master Plumber or Journeyman Plumber or certificate of registration of a Plumber's Apprentice by inducing the issuance of such license or certificate of registration in consideration of the payment of money or any other thing of value, or by and through a wilful or fraudulent misrepresentation of facts in pursuance thereof.

2. Wilful violation of any Plumbing Ordinance, or by-laws of any city, town or village or of any law of this State regulating the conduct of plumbing work.

3. On account of knowingly aiding or assisting any person to engage in the work specified for a Master Plumber or a Journeyman Plumber or a Plumber's Apprentice, when such person has not a license or certificate of registration in effect as provided in this Act.

4. Because of any Master Plumber or Journeyman Plumber or Plumber's Apprentice wilfully and fraudulently loaning his certificate of license or registration to any other person for the purpose of permitting such person to engage in any plumbing work in violation of the provisions of this Act.

5. In the event any licensee or registrant as provided in this Act, shall be convicted of a felony.

6. On account of any wilful violation of any of the provisions of this Act.

7. No proceedings to revoke a license or certificate of registration as provided in this Section, shall be instituted unless filed with the Department of Registration and Education within 3 years next after the date or dates of violation provided that in the event the licensee or registrant is outside the State of Illinois subsequent to the commission of any violation as provided herein, the time during which he is absent from the State of Illinois shall not be included as a part of such 3 years of limitation.

Section XII. A. No license of a Master Plumber or Journeyman Plumber or certificate of registration of a Plumber's Apprentice shall be revoked or cancelled until after a full and impartial hearing as provided in this section.

1. No hearing for the purpose of revoking any license of a Master Plumber or license of a Journeyman Plumber or certificate of a Plumber's Apprentice shall be held unless there is first placed on file with the Department a verified complaint in writing reciting therein with reasonable particularity a statement of facts which if proved would be sufficient to constitute a violation of one or more of the specifications for revocation of license or certificate set forth in Section II of this Act.

2. Upon the filing of a verified complaint as provided herein the Department shall promptly set a date for a hearing of the charges of the complaint which shall be held either in the City of Chicago or the City of Springfield in this State. The Department shall promptly mail to the licensee or registrant charged in the complaint a true and correct copy of such complaint and notification of the time and place when and where a hearing of such charges shall be had. Such copy of the complaint and notification shall be served on the

licensee or registrant at least 20 days prior to the date therein set for the hearing either by delivery of the same personally to the licensee or registrant or by mailing the same by registered mail to the last known place of address of such licensee or registrant.

3. At the time and place fixed in such notification the Board of Plumbing Examiners under supervision of the Department shall proceed to a hearing of the charges specified in the complaint. No hearing upon the charges of the complaint shall be had unless the records of the Department contain evidence that the licensee or registrant charged in the complaint has been so served with a copy of the complaint and notification at least 20 days prior to the date of such hearing, provided that the appearance of the licensee or registrant so charged, either in his own behalf or by counsel, shall constitute proof that sufficient notice of the hearing was served.

4. A complaining party by himself or by counsel may aid in the presentation of evidence toward sustaining the complaint. Ample opportunity shall be accorded for hearing of all evidence and statement of counsel either in support of or against the charges of the complaint. Upon good cause shown the date of the hearing on the Complaint may be continued provided the licensee or registrant and other interested parties shall be reasonably notified about the date of the continuance.

B. The Department shall have power to subpoena and bring before it or the Board of Plumbing Examiners, to any hearing, any person in this State to give evidence and to take testimony, either orally or by deposition, or both, and to issue subpoena duces tecum for any books and records or other documents necessary or relevant at any hearing, with the

same fees and mileage and in the same manner as prescribed by law in Judicial Procedure in civil cases in Courts of this State.

C. The Director, Assistant Director, Superintendent of Registration and any member of the State Board of Plumbing Examiners shall have power to administer oaths to witnesses at a hearing which the Department is authorized by law to conduct and any other oaths authorized or administered by the Department.

Section XIII. A. Any Circuit or Superior Court or any Judge thereof, either in term time or vacation upon the application of the licensee or registrant or complainant or of the Department, may by order duly entered require the attendance of witnesses and the production of relevant books and papers before the Department or the Board in any hearing upon a complaint as provided in this Act and may compel obedience to its or his order by proceedings for contempt.

Section XIV. A. The Department at its expense shall provide a stenographer to take down the testimony and to preserve a record of all proceedings at the hearing upon any complaint. The complaint and other documents in the nature of pleadings and other motions filed in the proceedings, the transcript of testimony, report of the committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person upon payment therefor of 24c per 100 words for each original transcript and 6c per 100 words for each carbon copy thereof.

Section XV. A. The State Board of Plumbing Examiners upon completion of any hearing held on a verified complaint shall present to the Director of Registration and Education a

written report of their findings and recommendations. The Director of the Department shall thereupon order that the license or certificate of the licensee or registrant charged in the complaint shall be revoked or that the complaint shall be dismissed in accordance with the recommendations of the Board. A copy of such order shall immediately be served upon the licensee or registrant either personally or by registered mail. The order of the Department shall be final unless the licensee or registrant so charged, or complainant, shall within 20 days after receipt of such order file with the Department his motion in writing for a rehearing specifying therein the points and reasons therefor. The filing of a motion for rehearing shall stay the operation of the order pending a final decision on such motion. A motion for a rehearing shall be immediately referred by the Director to the Board for recommendations thereon. If the motion is allowed by the Director, the Board shall proceed as in the case of original hearing on a complaint. Not more than one rehearing on any complaint shall be granted. The decision of the Department shall be final upon questions of fact.

Section XVI. A. The Circuit or Superior Court of the County wherein the licensee or registrant so charged resides shall have power to review the entire proceedings of any hearing had before the Board or Department and to review any order dismissing a complaint or revocation of a license or certificate and all questions of law presented by such record provided a Writ of Certiorari issued out of such Court within 20 days next after receipt of notification of the determination of the petition for rehearing in the case as provided in Section 15 of this Act. In the event the licensee or registrant so charged has no defi-

nite place of residence in any County in this State as shown by the Records of the Department, the Circuit or Superior Court of Cook County or the Circuit Court of Sangamon County shall have power to review such transcript and proceedings and orders of the Department.

B. Such Writ of Certiorari shall be issued by the Clerk of the Court immediately upon the filing of a praecipe therefor. Such Writ of Certiorari shall be directed to the Director, Assistant Director or Superintendent of the Department of Registration and Education of the State of Illinois by registered mail. The certificate of the Clerk that such Writ of Certiorari has been so mailed to the Department of Registration and Education will constitute evidence that proper service has been made. The Clerk of the Court shall also direct by registered mail, notification to the complainant in such proceedings and also notification by registered mail to the licensee or registrant charged in said proceedings, as such complainant and licensee or registrant is shown on the praecipe together with their last known address. The notification of the proceedings so issued by the Clerk of the Court shall advise the date the praecipe was filed, the title of the cause and the return day thereof. The Department upon receipt of the Writ of Certiorari shall immediately prepare a complete transcript of the record and proceedings in said cause certified as to correctness by the Director of the Department and transmit the same to the Clerk of the Court. Immediately upon receipt thereof the Clerk shall set the earliest date convenient for the Court for a hearing before the Court of such Writ of Certiorari and notify counsel of record respecting such date for hearing.

C. No praecipe for Writ of Certiorari shall be filed in any Court unless accompanied by

a receipt of the Department of Registration and Education acknowledging payment of the record of proceedings to be transcribed in the cause.

D. The Circuit or Superior Court shall upon hearing review the record of proceedings had before the Department and Board of Plumbing Examiners and shall either confirm or reverse the order of the Department. The Court may in its discretion remand the cause to the Department for further proceedings.

E. No Department order of revocation or dismissal shall be set aside or vacated on any ground not specified in the written motion for rehearing provided for in Section 15.

Section XVII. A. At any time after the final revocation of a license or certificate of registration, the Department may upon a written verified application of the licensee or registrant for restoration of such license or certificate of registration refer said application to the Board for hearing and recommendation. In the event the Board recommends that such license or certificate of registration shall be restored the Department shall so order and issue to the licensee or registrant his license or certificate in conformity therewith.

Section XVIII. A. The pendency of an appeal or writ of certiorari shall not of itself stay or suspend the operation of any order of revocation or dismissal of a complaint but during the pendency of such suit or appeal, the Circuit or Superior Court or the Supreme Court, as the case may be, in its discretion, may stay the operation of such order of the Department. No such stay shall be granted by the Court otherwise than upon 10 days' notice to the complainant, registrant and the Department and after a hearing before the Court or

any justice thereof.

B. An order of revocation or dismissal of a complaint or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that;

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Board of Plumbing Examiners and the members thereof are qualified to act.

Section XIX. A. Appeals from all final orders and judgments entered by a circuit or superior court in review of an order of the Department, as provided in Section 16 of this Act may be taken directly to the Supreme Court by either party to the cause or the Department provided that such appeal shall be governed and conform to the law and rules of courts applying to appeal under the Civil Practice Act of Illinois.

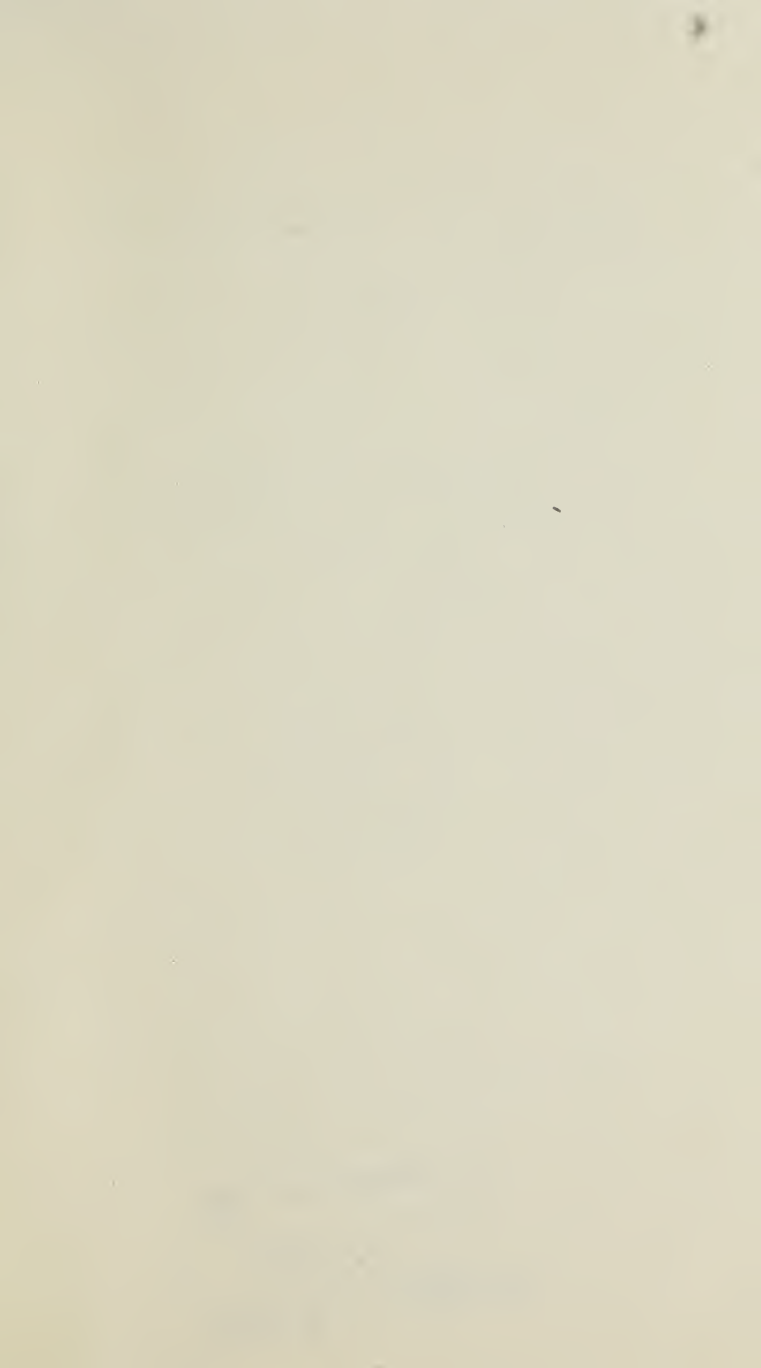
Section XX. A. The Judicial determination that any section, paragraph, provision or sentence of this Act is unconstitutional, shall not in any way affect the Constitutionality of any other sentence, provision, paragraph or section hereof.

Section XXI. A. Any person violating any provision of this Act shall be guilty of a misdemeanor and subject to a fine of not less than \$25.00 and not more than \$500.00 or by confinement in the county jail not more than 6 months, either or both in the discretion of the Court, for a first offense and for a second and subsequent violation of this Act shall be subject to a fine of not less than \$50.00 and confinement in the county jail for not more than 1 year as the Court may decide.

B. All fines and penalties shall inure to the Department. It shall be the duty of the State's Attorney of the County where an offense under the provisions of this Act is committed to prosecute all persons violating any of the provisions of this Act upon complaint being made.

Section XXII. This Act is hereby designated as The Illinois Plumbing License Law.

(Printed by the authority of the State of Illinois)



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THE ILLINOIS PLUMBING LICENSE LAW

STATE OF ILLINOIS
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GOVERNOR



DEPARTMENT OF
REGISTRATION AND EDUCATION
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THE ILLINOIS PLUMBING LICENSE LAW

An Act in relation to the regulation of plumbing and licensing of Master Plumbers, Journeyman Plumbers and registration of Plumber's Apprentices, and for the protection of public health, and repeal of a certain Act therein named. (Filed June 17, 1935.)

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section I. A. The word or term Plumbing as used in this Act means and shall include:

1. All piping, fixtures, appurtenances and appliances for a supply of water for all personal or domestic purposes in and about buildings where a person or persons live, work or assemble. Plumbing as used herein shall also include piping, fixtures, appurtenances and appliances for a sanitary drainage and related ventilation system within a building, and all piping, fixtures, appurtenances and appliances outside a building connecting the building with the source of water supply on the premises or the main in the street, alley or at the curb.

2. All piping, fixtures, appurtenances, appliances, drain or waste pipes carrying domestic sewage from the foundation walls of a building to the sewer service lateral at the curb

or in the street or alley or other disposal terminal holding private or domestic sewage.

3. Plumbing shall also include the installation, repair, maintenance and work upon and connection with such piping, fixtures, appliances, appurtenances, drain or waste pipes, except minor repairs by a person upon his own premises.

However, the word or term plumbing, as used in this Act, shall not mean or include, and nothing in this Act shall be held or construed to have any application to, piping, fixtures, appurtenances and appliances, or drain or waste pipes, in and about any building or other structure located upon property outside the corporate limits of a city, village or incorporated town and not subdivided into lots or blocks pursuant to "An Act to revise the law in relation to plats", approved March 21, 1874, as amended.

B. Department as the word or term is used in this Act shall mean the Department of Registration and Education of the State of Illinois.

C. The term or word Board, as used in this Act, shall mean the Illinois State Board of Plumbing Examiners.

D. A Master Plumber, within the meaning of this Act, is a person who has a license in effect as provided in this Act from the Illinois Department of Registration and Education specifying such person therein as a Master Plumber.

E. A Journeyman Plumber, within the meaning of this Act, is a person other than a Master Plumber who has a license in effect as provided in this Act from the Illinois Department of Registration and Education specifying such person as a Journeyman Plumber.

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THE ILLINOIS
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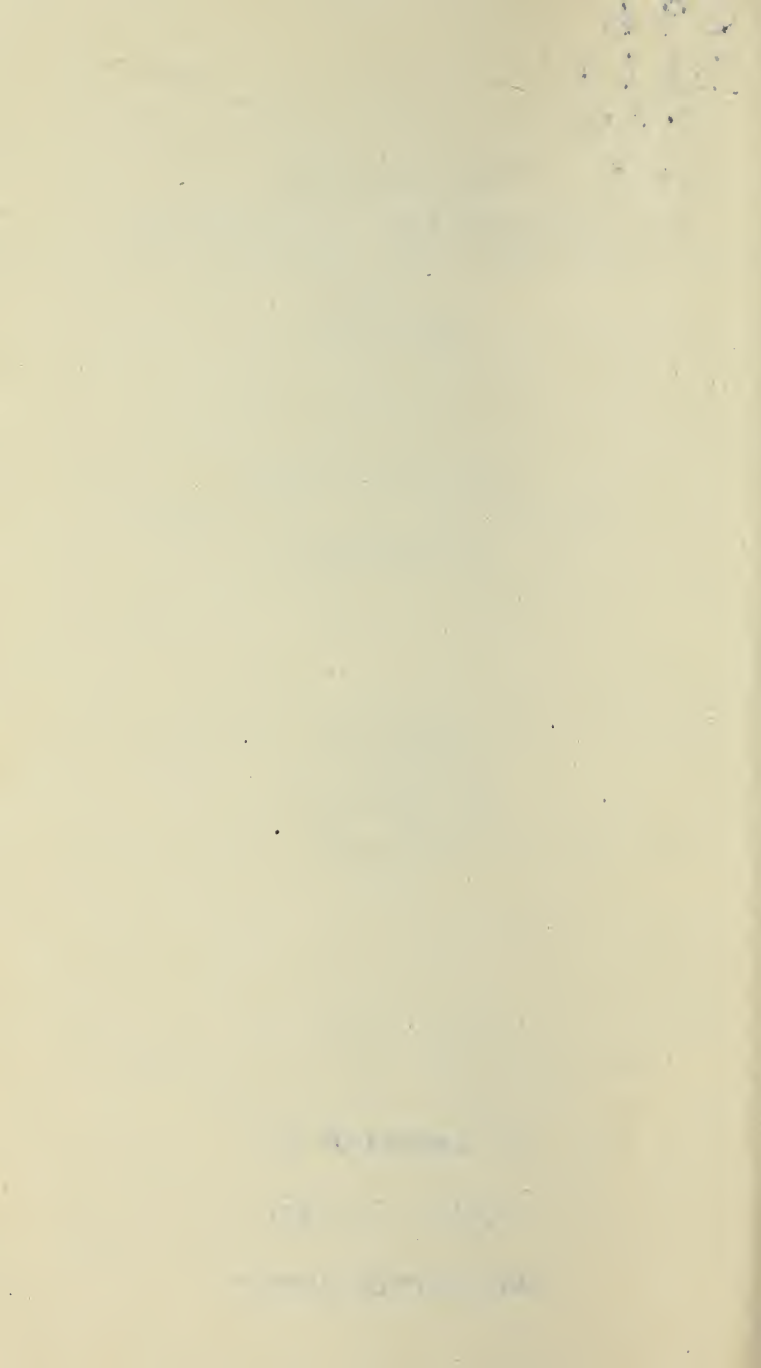
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or in the street or alley or other disposal terminal holding private or domestic sewage.

3. Plumbing shall also include the installation, repair, maintenance and work upon and connection with such piping, fixtures, appliances, appurtenances, drain or waste pipes, except minor repairs by a person upon his own premises.

However, the word or term plumbing, as used in this Act, shall not mean or include, and nothing in this Act shall be held or construed to have any application to, piping, fixtures, appurtenances and appliances, or drain or waste pipes, in and about any building or other structure located upon property outside the corporate limits of a city, village or incorporated town and not subdivided into lots or blocks pursuant to "An Act to revise the law in relation to plats", approved March 21, 1874, as amended.

B. Department as the word or term is used in this Act shall mean the Department of Registration and Education of the State of Illinois.

C. The term or word Board, as used in this Act, shall mean the Illinois State Board of Plumbing Examiners.

D. A Master Plumber, within the meaning of this Act, is a person who has a license in effect as provided in this Act from the Illinois Department of Registration and Education specifying such person therein as a Master Plumber.

E. A Journeyman Plumber, within the meaning of this Act, is a person other than a Master Plumber who has a license in effect as provided in this Act from the Illinois Department of Registration and Education specifying such person as a Journeyman Plumber.

F. A Plumber's Apprentice, within the meaning of this Act, is a person in this State other than a Master or Journeyman Plumber who has in effect a certificate of registration as provided in this Act specifying such person as a Plumber's Apprentice. (As amended by Act filed July 26, 1939.)

Section II. A. No person shall engage in this State in the business of a Master Plumber, or as an employer of a Journeyman Plumber or Plumber's Apprentice or shall enter into contracts or agreements for the installation, maintenance or repair of plumbing or perform any of the acts specified in this Act for performance by a Master Plumber unless such person has in effect a certificate of license from the Department specifying such person as a Master Plumber.

B. No person shall engage in this State as a Journeyman Plumber unless such person has in effect a Journeyman Plumber's license from the Department specifying such person as a Journeyman Plumber.

C. No person shall be employed as a Plumber's Apprentice in this State or enter and continue in the occupation of a Plumber's Apprentice unless such person has in effect a certificate of registration from the Department specifying such person as a registered Plumber's Apprentice.

D. No firm, association or partnership shall engage in the plumbing business in this State or represent themselves as plumbing contractors or plumbers in the business of plumbing or any of its branches, unless at least one active member or partner thereof continually engaged in the conduct, supervision or performance of the firm, association or partnership business shall be a licensed Master Plumber as provided in this Act.

E. No corporation shall engage in this State in the plumbing business or represent itself as a plumbing contractor unless a licensed Master Plumber as provided in this Act shall engage in the supervision of its plumbing installation and work and unless further a licensed Master Plumber as provided in this Act shall be an active corporate official of such corporation, actively and continually engaged in its plumbing business.

F. Every individual, partnership, firm, association or corporation, engaged in the plumbing business in this State with sites or places of business in different cities of this State, shall have at least one licensed Master Plumber as provided in this Act continually in charge and supervision in each city, where a site or place of plumbing business is so operated.

G. No person in this State shall be permitted in any event to hold at the same time a license as a Journeyman Plumber and also a license as a Master Plumber and no person licensed as a Journeyman Plumber shall perform any of the acts or projects specified in this Act for performance by a Master Plumber.

H. No city, town, village, county, park district, municipal corporation or other subdivision of government in this State shall engage in the installation, maintenance or repair of plumbing unless such installation, maintenance, repair or work is carried on under the supervision of one or more Master Plumbers in the employ of such city, town, park district, county or subdivision of government, provided nothing in this Section shall be construed to prevent any subdivision of government from contracting for plumbing with an individual, firm, partnership, association or corporation authorized to do plumbing business in this State.

Section III. A. A Master Plumber holding a license in effect from the Department specifying such person as a Master Plumber is authorized to engage in the business of a plumbing contractor and also in planning, engineering, superintending, installation, maintenance and repair with respect to plumbing in all its branches and such person, as a Master Plumber is authorized to employ Journeyman Plumbers and Plumber's Apprentices and other persons necessary for the proper conduct of the business of plumbing.

B. A Journeyman Plumber holding a license in effect from the Department specifying such person as a Journeyman Plumber is authorized to engage in the plumbing business only as an employee of a licensed Master Plumber, partnership, firm or corporation, authorized to engage in the plumbing business. A Journeyman Plumber as such employee may engage in the installation, maintenance and repair of plumbing in all its branches provided that such Journeyman Plumber may only continue in the performance of his occupation under the general supervision of a licensed Master Plumber.

C. A Plumber's Apprentice holding a certificate of registration in effect is authorized to engage in the employment of learning the plumbing trade, but may only engage and continue in the plumbing trade as an employee of a licensed Master Plumber, firm, partnership or corporation, authorized to engage in the plumbing business, and under the direct personal supervision of a licensed Master Plumber, or a licensed Journeyman Plumber, in the employ of a licensed Master Plumber; provided, that no Plumber's Apprentice in this State shall engage or work in the performance of acts as a Master Plumber or a Journeyman Plumber.

Any master plumber or journeyman plumber holding a license issued by the Department is permitted to engage in the business of a master plumber or as a journeyman plumber any place in this state including any city, village or incorporated town having a population of five hundred thousand (500,000) or more inhabitants.

B. The Board shall aid and cooperate with the Director of the Department by:

1. Preparing forms for applications for examinations for licenses and registrations.

2. In preparing subject matter, questions and all necessary items for examination as provided in this Act.

3. In preparation of rules to govern examinations and registrations and hearings for revocation and reinstatement of licenses and certificates of registration.

4. To act as a committee to make written reports and recommendations to the Director of the Department.

5. Such other duties for the purposes of carrying out the provisions of this Act as such duties are from time to time prescribed by the Director of the Department.

C. The members of the Board shall be paid at the rate of \$10.00 per day for actual time devoted in performing the duties specified in this Act. The members shall also be reimbursed for traveling expenses necessary in performance of such duties. (As amended by Act approved July 19, 1939.)

(Note: The second subsections B and C were inadvertently transposed in the engrossed law from Section IV, post.)

Section IV. A. There is hereby created in the State of Illinois a State Board of Plumbing Examiners which shall exercise its duties and

powers as provided in this Act under the supervision of the Department. The Board shall be composed of persons designated from time to time by the Director of the Department. It shall be composed of one licensed Master Plumber who has had a Master Plumber's license in effect for at least 2 years, and one licensed Journeyman Plumber who has had a Journeyman Plumber's license in effect for at least 2 years, and a third member designated by the Director. In making the appointments of licensed Master Plumbers to the Board, the Director shall give due consideration to the recommendations of the Illinois Master Plumbers Association as communicated to the Director in writing by the Secretary of the Illinois Master Plumbers Association. In making the appointments of licensed Journeyman Plumbers to the Board the Directors shall give due consideration to the recommendations of the Illinois Association of Journeyman Plumbers and Steamfitters as conveyed to the Director in writing by the Secretary of the Illinois Association of Journeyman Plumbers and Steamfitters.

Section V. A. The Director of the Department of Registration and Education of the State of Illinois is hereby imposed with the responsibility and duty:—

1. To designate members of the State Board of Plumbing Examiners.

2. With the aid of the Board to prepare forms for application for examinations as provided hereinafter.

3. To prepare license certificates and certificates of registration and issue the same in conformity with this Act.

4. With the aid and cooperation of the Board to prescribe rules and regulations for the conduct of examinations of applicants for licenses and to prepare the subject matter of such examinations.

5. To prescribe rules and regulations consistent with the provisions of this Act for hearings to revoke, or reinstate certificates of license as provided in this Act with the aid and written recommendations of the Board.

6. To maintain an up to date record specifying names and addresses of licensed Master and Journeyman Plumbers of this State and registered Plumber's Apprentices. Such record shall show dates of issuance of all license certificates and certificates of registration and be subject to public inspection. Such record shall also show dates of filing of complaints and the nature of such complaints for revocation of licenses or certificates of registration and the date of, as well as the final order upon, such complaints.

7. To prescribe standards for what shall constitute a recognized college or university, and to determine the conformance to such standards.

Section VI. A. Any applicant for a certificate of license of Master Plumber in this State shall present his application therefor to the Department on the printed form provided for applicants by the Department for Master Plumber's license. No application for a certificate of license of a Master Plumber shall be filed by the Department nor shall any applicant be permitted to take the examination for the certificate of license for a Master Plumber, unless:

1. The application is accompanied by an application fee of \$100.00 for the first examination, \$25.00 for the second examination, \$25.00 for the third examination and \$100.00 for each examination thereafter payable to the Department;

2. The applicant is a citizen of the United States;

3. The application is accompanied with affidavits of applicant's employer or former employer or other satisfactory evidence showing the applicant has been actually engaged as a licensed Journeyman Plumber for at least 5 years, or that such applicant has been graduated from a recognized college or university in the course of plumbing or sanitary engineering or mechanical engineering or civil engineering or architectural engineering, and has also been employed by a licensed Master Plumber for at least 2 years as a licensed Journeyman Plumber, or that the applicant has been a student in a recognized college or university and has pursued a course in plumbing or sanitary engineering or mechanical engineering or civil engineering or architectural engineering for at least 3 years and has thereafter been employed as a licensed Journeyman Plumber by a Master Plumber for at least 3 years.

Service while in the armed forces of the United States when such applicant worked as a plumber while in the armed forces, shall be considered, and credit therefor shall be given, in computing the length of service as a Journeyman Plumber hereinbefore prescribed by this section, when the applicant furnishes the Department with satisfactory evidence of his service as a plumber and the length of such service while in the armed forces.

B. Any applicant for a certificate of license of Journeyman Plumber in this State shall present his application therefor to the Department on the printed form provided by the Department for Journeyman Plumber's license. No application for a certificate of license of a Journeyman Plumber shall be filed by the Department nor shall any applicant be permitted to take the examination for the certificate of license of a Journeyman Plumber, unless:

1. Accompanied by a fee of \$25.00 for the first examination, \$10.00 for the second examination, \$10.00 for the third examination and \$25.00 for each examination thereafter payable to the Department.

2. The application is accompanied by affidavit of the applicant's employer or former employer or other satisfactory evidence that the applicant has been occupied as a Plumber's Apprentice for at least 5 years, or that the applicant has pursued a course in plumbing or sanitary engineering or mechanical engineering or civil engineering or architectural engineering for at least 3 years in a recognized college or university, and has also served 2 years as a registered plumber's apprentice.

Service while in the armed forces of the United States when such applicant worked as a plumber while in the armed forces, shall be considered, and credit therefor shall be given, in computing the length of service as a plumber's apprentice hereinbefore prescribed by this section, when the applicant furnishes the Department with satisfactory evidence of his service and the length of such service as a plumber while in the armed forces.

C. Any applicant for a certificate of registration of a plumber's apprentice shall present his application on the form provided by the Department for application of a Plumber's Apprentice, provided that no such application shall be filed unless:

1. The application contains satisfactory evidence that the applicant is at least 16 years of age.

2. The application is accompanied by an affidavit of a licensed Master Plumber that the applicant is to be immediately employed by such Master Plumber upon the issuance of the certificate of registration.

D. Any person who holds a certificate of license of a Master Plumber or a Journeyman Plumber or a certificate of registration of a Plumber's Apprentice, shall notify the Department promptly in the event of change of his address from the address specified in his certificate of license of a Master Plumber or Journeyman Plumber or certificate of registration of a Plumber's Apprentice. (As amended by Act approved June 30, 1945.)

Section VII. A. The Department shall provide and conduct examinations at least 4 times each year of applicants who have had their applications for certificate of Master Plumber's license placed on file with the Department and also provide and conduct examinations at least 4 times each year for applicants who have had their application of license of a Journeyman Plumber placed on file with the Department. Any applicant who has had his application placed on file with the Department at least 10 days prior to the date set for either the examination of Master Plumber or Journeyman Plumber shall be permitted to take the examination. All such examinations shall be conducted by the Department with the aid and cooperation of the Board and shall be conducted at places designated by the Department within the State consistent with the reasonable convenience of applicants.

B. The Director of the Department shall allow or deny applications for certificate of Master Plumber's license or Journeyman Plumber's license upon the recommendation of the Board, respecting each applicant as soon after such examination as practicable. Each applicant who has successfully passed the examination and has had his application allowed for a certificate of license of either a Master Plumber or a Journeyman Plumber, as the case may be, shall have issued and mailed

to him by the Department at his address on the application a certificate, specifying such person as a Master Plumber or a Journeyman Plumber, as the case may be. All applicants who have failed to pass the examination and have had their application denied shall also be notified by mail directed to the applicant's address shown on the application.

C. All certificates of license and of registration shall be issued by the Department in the name of the Department with the seal thereof attached.

D. No applicant who has failed in his first examination for either a Master or a Journeyman Plumber's license shall be permitted to take a second examination until after the expiration of six months following the date of the first examination of which such applicant failed; nor to take a third examination until after the expiration of six months following the date of the second examination; nor to take any subsequent examination until after the expiration of one year following his last previous examination; provided such applicant, in order to take successive examinations, shall pay the fees required in the previous section.

E. All certificates of license of Master and Journeyman Plumbers shall expire on May 1st next following date of issuance. Every license of either a Master or Journeyman Plumber issued by the Department may be renewed for a period of one year from each succeeding May 1st, upon the payment during the month of April of an annual renewal fee of \$25.00 for a Master Plumber and \$2.00 for a Journeyman Plumber's license. Certificates of license having expired for failure of the holder to pay such renewal fee shall be reinstated by the Department; provided, that within 6 months following the date of expiration the holder

shall pay to the Department a penalty of \$10.00 in addition to the annual renewal fee for Master Plumbers and \$1.00 in addition to the annual renewal fee for Journeyman Plumbers. All certificates of either Master or Journeyman Plumbers having expired for failure to pay such renewal fee and not reinstated within 6 months as provided in this Section shall stand revoked and no new certificates of license shall be issued except as provided in the case of original applicants.

However, any Master or Journeyman Plumber whose certificate of license has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate of license renewed without paying any lapsed renewal fees or penalties, or without taking any examination, if within one year after termination of such service, training or education other than by dishonorable discharge, he furnishes the Department with an affidavit to the effect that he has been so engaged and that his service, training or education has been so terminated. (As amended by Act approved July 21, 1941.)

Section VIII. A. In every place in this State within and from which a plumbing business is conducted as specified for a Master Plumber there shall be at all times on display a certificate of license in effect of a Master Plumber as provided in this Act. Any person, partnership, firm, association or corporation engaged in the plumbing business in two or more places of business within the same village, town or city shall display in each place of business either a

certificate of license in effect of a Master Plumber as provided in this Act or a branch office certificate of license in effect of Master Plumber to be issued by the Department upon application, provided, that in the principal place of business of such individual, partnership, firm, association or corporation there shall be displayed an original certificate of a Master Plumber in effect as provided in this Act.

Section IX. Any city, village or incorporated town having a population of five hundred thousand or more, may, by ordinance, provide for a board of plumbing examiners to conduct examinations for journeyman plumbers and master plumbers, to register plumbers' apprentices, and to issue and revoke plumbers' licenses within such city, village or incorporated town. The provisions of this Act except as otherwise herein provided, shall not apply within any such city, village or incorporated town which enacts such ordinance.

Any person authorized under the provisions of this section to engage as a master plumber or journeyman plumber in any such city, village or incorporated town is authorized to engage as a master plumber or journeyman plumber anywhere in this state.

Nothing contained in this Act shall prohibit any city, village or incorporated town from providing for a plumbing inspector or from requiring permits for the installation and repair of plumbing and collecting a fee therefor. (As amended by Act approved July 19, 1939.)

Section X. A. It is hereby declared to be the policy of this State that each city, town or village with a system of water supply or sewage or both should so soon after the enactment of this Act as practicable, with the advice of the State Department of Health,

provide by Ordinance, by-laws or rules and regulations for the materials, construction, alteration, and inspection of all plumbing placed in or in connection with any building in any such city, town or village and to provide for and appoint a competent Plumbing Inspector or more as required. Such appointee shall be a Master Plumber or a Journeyman Plumber with a license of a Journeyman Plumber in effect for at least 5 years.

B. The Department of Public Health shall conduct inquiry in any city, town or village, or at any other place in the State when reasonably necessary in the judgment of the Director of the Department of Health to safeguard the health of any person or persons in this State on account of any piping or appurtenant appliances within any building or outside, when such piping and appliances are for the use of plumbing as defined in this Act and for the use of carrying sewage or waste within or from any building.

C. The Department of Public Health may conduct such inquiries in any city, town or village in this State by directing the Plumbing Inspector thereof to aid in or conduct such inquiry or investigation in behalf of the Department of Public Health, or the Department of Public Health may designate some other person or persons to conduct such investigation.

Section XI. A. The Department of Registration and Education shall revoke the certificate of license of any Master Plumber or any Journeyman Plumber, or certificate of registration of any Plumber's Apprentice, after hearing when the weight of the evidence establishes any one or more of the following specific violations:

1. For having obtained or conspired with others to obtain a certificate of license of a

Master Plumber or Journeyman Plumber or certificate of registration of a Plumber's Apprentice by inducing the issuance of such license or certificate of registration in consideration of the payment of money or any other thing of value, or by and through a wilful or fraudulent misrepresentation of facts in pursuance thereof.

2. Wilful violation of any Plumbing Ordinance, or by-laws of any city, town or village or of any law of this State regulating the conduct of plumbing work.

3. On account of knowingly aiding or assisting any person to engage in the work specified for a Master Plumber or a Journeyman Plumber or a Plumber's Apprentice, when such person has not a license or certificate of registration in effect as provided in this Act.

4. Because of any Master Plumber or Journeyman Plumber or Plumber's Apprentice wilfully and fraudulently loaning his certificate of license or registration to any other person for the purpose of permitting such person to engage in any plumbing work in violation of the provisions of this Act.

5. In the event any licensee or registrant as provided in this Act, shall be convicted of a felony.

6. On account of any wilful violation of any of the provisions of this Act.

7. No proceedings to revoke a license or certificate of registration as provided in this Section, shall be instituted unless filed with the Department of Registration and Education within 3 years next after the date or dates of violation provided that in the event the licensee or registrant is outside the State of Illinois subsequent to the commission of any violation as provided herein, the time during which he is absent from the State of Illinois shall not be included as a part of such 3 years of limitation.

Section XII. . A. No license of a Master Plumber or Journeyman Plumber or certificate of registration of a Plumber's Apprentice shall be revoked or cancelled until after a full and impartial hearing as provided in this section.

1. No hearing for the purpose of revoking any license of a Master Plumber or license of a Journeyman Plumber or certificate of a Plumber's Apprentice shall be held unless there is first placed on file with the Department a verified complaint in writing reciting therein with reasonable particularity a statement of facts which if proved would be sufficient to constitute a violation of one or more of the specifications for revocation of license or certificate set forth in Section II of this Act.

2. Upon the filing of a verified complaint as provided herein the Department shall promptly set a date for a hearing of the charges of the complaint which shall be held either in the City of Chicago or the City of Springfield in this State. The Department shall promptly mail to the licensee or registrant charged in the complaint a true and correct copy of such complaint and notification of the time and place when and where a hearing of such charges shall be had. Such copy of the complaint and notification shall be served on the licensee or registrant at least 20 days prior to the date therein set for the hearing either by delivery of the same personally to the licensee or registrant or by mailing the same by registered mail to the last known place of address of such licensee or registrant.

3. At the time and place fixed in such notification the Board of Plumbing Examiners under supervision of the Department shall proceed to a hearing of the charges specified in the complaint. No hearing upon the charges of the complaint shall be had unless the rec-

ords of the Department contain evidence that the licensee or registrant charged in the complaint has been so served with a copy of the complaint and notification at least 20 days prior to the date of such hearing, provided that the appearance of the licensee or registrant so charged, either in his own behalf or by counsel, shall constitute proof that sufficient notice of the hearing was served.

4. A complaining party by himself or by counsel may aid in the presentation of evidence toward sustaining the complaint. Ample opportunity shall be accorded for hearing of all evidence and statement of counsel either in support of or against the charges of the complaint. Upon good cause shown the date of the hearing on the Complaint may be continued provided the licensee or registrant and other interested parties shall be reasonably notified about the date of the continuance.

B. The Department shall have power to subpoena and bring before it or the Board of Plumbing Examiners, to any hearing, any person in this State to give evidence and to take testimony, either orally or by deposition, or both, and to issue subpoena duces tecum for any books and records or other documents necessary or relevant at any hearing, with the same fees and mileage and in the same manner as prescribed by law in Judicial Procedure in civil cases in Courts of this State.

C. The Director, Assistant Director, Superintendent of Registration and any member of the State Board of Plumbing Examiners shall have power to administer oaths to witnesses at a hearing which the Department is authorized by law to conduct and any other oaths authorized or administered by the Department.

Section XIII. A. Any Circuit or Superior Court or any Judge thereof, either in term time

or vacation upon the application of the licensee or registrant or complainant or of the Department, may by order duly entered require the attendance of witnesses and the production of relevant books and papers before the Department or the Board in any hearing upon a complaint as provided in this Act and may compel obedience to its or his order by proceedings for contempt.

Section XIV. A. The Department at its expense shall provide a stenographer to take down the testimony and to preserve a record of all proceedings at the hearing upon any complaint. The complaint and other documents in the nature of pleadings and other motions filed in the proceedings, the transcript of testimony, report of the committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person upon payment therefor of 24c per 100 words for each original transcript and 6c per 100 words for each carbon copy thereof.

Section XV. A. The State Board of Plumbing Examiners upon completion of any hearing held on a verified complaint shall present to the Director of Registration and Education a written report of their findings and recommendations. The Director of the Department shall thereupon order that the license or certificate of the licensee or registrant charged in the complaint shall be revoked or that the complaint shall be dismissed in accordance with the recommendations of the Board. A copy of such order shall immediately be served upon the licensee or registrant either personally or by registered mail. The order of the Department shall be final unless the licensee or registrant so charged, or complainant, shall within 20 days after receipt of such order file with the Department his motion in

writing for a rehearing specifying therein the points and reasons therefor. The filing of a motion for rehearing shall stay the operation of the order pending a final decision on such motion. A motion for a rehearing shall be immediately referred by the Director to the Board for recommendations thereon. If the motion is allowed by the Director, the Board shall proceed as in the case of original hearing on a complaint. Not more than one rehearing on any complaint shall be granted. The decision of the Department shall be final upon questions of fact.

Section XVI. A. The Circuit or Superior Court of the County wherein the licensee or registrant so charged resides shall have power to review the entire proceedings of any hearing had before the Board or Department and to review any order dismissing a complaint or revocation of a license or certificate and all questions of law presented by such record provided a Writ of Certiorari issued out of such Court within 20 days next after receipt of notification of the determination of the petition for rehearing in the case as provided in Section 15 of this Act. In the event the licensee or registrant so charged has no definite place of residence in any County in this State as shown by the Records of the Department, the Circuit or Superior Court of Cook County or the Circuit Court of Sangamon County shall have power to review such transcript and proceedings and orders of the Department.

B. Such Writ of Certiorari shall be issued by the Clerk of the Court immediately upon the filing of a praecipe therefor. Such Writ of Certiorari shall be directed to the Director, Assistant Director or Superintendent of the Department of Registration and Education of the State of Illinois by registered mail. The

certificate of the Clerk that such Writ of Certiorari has been so mailed to the Department of Registration and Education will constitute evidence that proper service has been made. The Clerk of the Court shall also direct by registered mail, notification to the complainant in such proceedings and also notification by registered mail to the licensee or registrant charged in said proceedings, as such complainant and licensee or registrant is shown on the praecipe together with their last known address. The notification of the proceedings so issued by the Clerk of the Court shall advise the date the praecipe was filed, the title of the cause and the return day thereof. The Department upon receipt of the Writ of Certiorari shall immediately prepare a complete transcript of the record and proceedings in said cause certified as to correctness by the Director of the Department and transmit the same to the Clerk of the Court. Immediately upon receipt thereof the Clerk shall set the earliest date convenient for the Court for a hearing before the Court of such Writ of Certiorari and notify counsel of record respecting such date for hearing. .

C. No praecipe for Writ of Certiorari shall be filed in any Court unless accompanied by a receipt of the Department of Registration and Education acknowledging payment of the record of proceedings to be transcribed in the cause.

D. The Circuit or Superior Court shall upon hearing review the record of proceedings had before the Department and Board of Plumbing Examiners and shall either confirm or reverse the order of the Department. The Court may in its discretion remand the cause to the Department for further proceedings.

E. No Department order of revocation or dismissal shall be set aside or vacated on any

ground not specified in the written motion for rehearing provided for in Section 15.

Section XVII. A. At any time after the final revocation of a license or certificate of registration, the Department may upon a written verified application of the licensee or registrant for restoration of such license or certificate of registration refer said application to the Board for hearing and recommendation. In the event the Board recommends that such license or certificate of registration shall be restored the Department shall so order and issue to the licensee or registrant his license or certificate in conformity therewith.

Section XVIII. A. The pendency of an appeal or writ of certiorari shall not of itself stay or suspend the operation of any order of revocation or dismissal of a complaint but during the pendency of such suit or appeal, the Circuit or Superior Court or the Supreme Court, as the case may be, in its discretion, may stay the operation of such order of the Department. No such stay shall be granted by the Court otherwise than upon 10 days' notice to the complainant, registrant and the Department and after a hearing before the Court or in justice thereof.

B. An order of revocation or dismissal of a complaint or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that;

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Board of Plumbing Examiners and the members thereof are qualified to act.

Section XIX. A. Appeals from all final orders and judgments entered by a circuit or superior

court in review of an order of the Department, as provided in Section 16 of this Act may be taken directly to the Supreme Court by either party to the cause or the Department provided that such appeal shall be governed and conform to the law and rules of courts applying to appeal under the Civil Practice Act of Illinois.

Section XX. A. The Judicial determination that any section, paragraph, provision or sentence of this Act is unconstitutional, shall not in any way affect the Constitutionality of any other sentence, provision, paragraph or section hereof.

Section XXI. A. Any person violating any provision of this Act shall be guilty of a misdemeanor and subject to a fine of not less than \$25.00 and not more than \$500.00 or by confinement in the county jail not more than 6 months, either or both in the discretion of the Court, for a first offense and for a second and subsequent violation of this Act shall be subject to a fine of not less than \$50.00 and confinement in the county jail for not more than 1 year as the Court may decide.

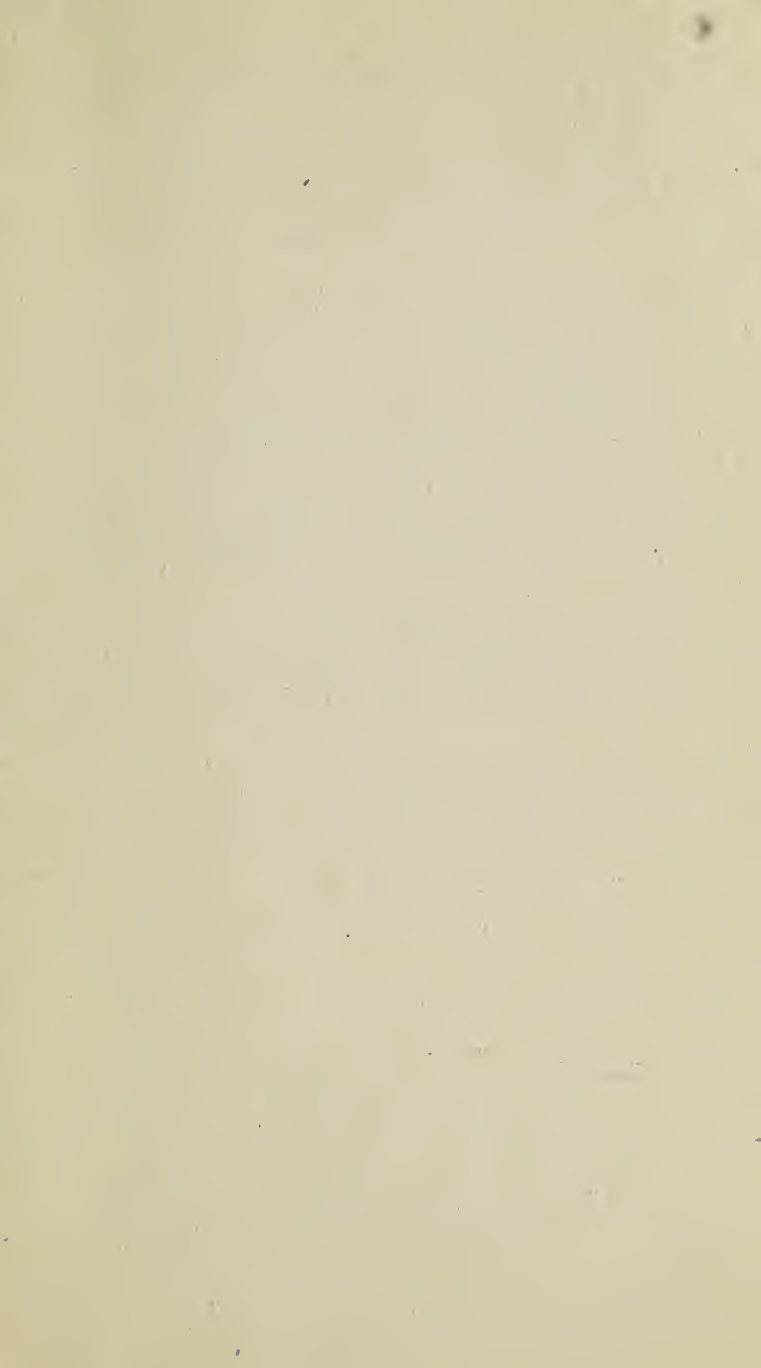
B. All fines and penalties shall inure to the Department. It shall be the duty of the State's Attorney of the County where an offense under the provisions of this Act is committed to prosecute all persons violating any of the provisions of this Act upon complaint being made.

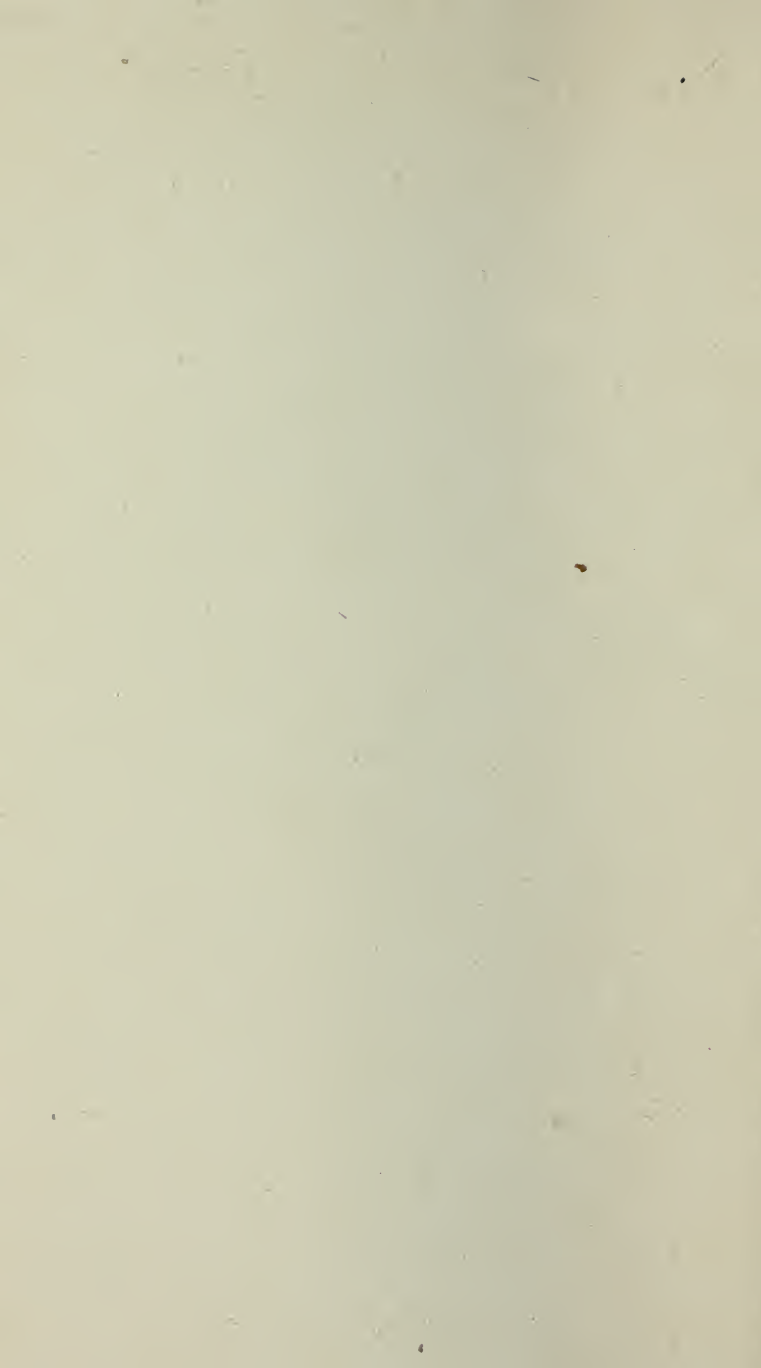
Section XXII. This Act is hereby designated as The Illinois Plumbing License Law.

(Printed by the authority of the State of Illinois)



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THE ILLINOIS PLUMBING LICENSE LAW

STATE OF ILLINOIS
DWIGHT H. GREEN
GOVERNOR



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UNIVERSITY OF ILLINOIS

DEPARTMENT OF
REGISTRATION AND EDUCATION
FRANK G. THOMPSON
Director

SPRINGFIELD

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THE ILLINOIS PLUMBING LICENSE LAW

An Act in relation to the regulation of plumbing and licensing of Master Plumbers, Journeyman Plumbers and registration of Plumber's Apprentices, and for the protection of public health, and repeal of a certain Act therein named. (Filed June 17, 1935.)

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section I. A. The word or term Plumbing as used in this Act means and shall include:

1. All piping, fixtures, appurtenances and appliances for a supply of water for all personal or domestic purposes in and about buildings where a person or persons live, work or assemble. Plumbing as used herein shall also include piping, fixtures, appurtenances and appliances for a sanitary drainage and related ventilation system within a building, and all piping, fixtures, appurtenances and appliances outside a building connecting the building with the source of water supply on the premises or the main in the street, alley or at the curb.

2. All piping, fixtures, appurtenances, appliances, drain or waste pipes carrying domestic sewage from the foundation walls of a building to the sewer service lateral at the curb

or in the street or alley or other disposal terminal holding private or domestic sewage.

3. Plumbing shall also include the installation, repair, maintenance and work upon and connection with such piping, fixtures, appliances, appurtenances, drain or waste pipes, except minor repairs by a person upon his own premises.

However, the word or term plumbing, as used in this Act, shall not mean or include, and nothing in this Act shall be held or construed to have any application to, piping, fixtures, appurtenances and appliances, or drain or waste pipes, in and about any building or other structure located upon property outside the corporate limits of a city, village or incorporated town and not subdivided into lots or blocks pursuant to "An Act to revise the law in relation to plats", approved March 21, 1874, as amended.

B. Department as the word or term is used in this Act shall mean the Department of Registration and Education of the State of Illinois.

C. The term or word Board, as used in this Act, shall mean the Illinois State Board of Plumbing Examiners.

D. A Master Plumber, within the meaning of this Act, is a person who has a license in effect as provided in this Act from the Illinois Department of Registration and Education specifying such person therein as a Master Plumber.

E. A Journeyman Plumber, within the meaning of this Act, is a person other than a Master Plumber who has a license in effect as provided in this Act from the Illinois Department of Registration and Education specifying such person as a Journeyman Plumber.

F. A Plumber's Apprentice, within the meaning of this Act, is a person in this State other than a Master or Journeyman Plumber who has in effect a certificate of registration as provided in this Act specifying such person as a Plumber's Apprentice. (As amended by Act filed July 26, 1939.)

Section II. A. No person shall engage in this State in the business of a Master Plumber, or as an employer of a Journeyman Plumber or Plumber's Apprentice or shall enter into contracts or agreements for the installation, maintenance or repair of plumbing or perform any of the acts specified in this Act for performance by a Master Plumber unless such person has in effect a certificate of license from the Department specifying such person as a Master Plumber.

B. No person shall engage in this State as a Journeyman Plumber unless such person has in effect a Journeyman Plumber's license from the Department specifying such person as a Journeyman Plumber.

C. No person shall be employed as a Plumber's Apprentice in this State or enter and continue in the occupation of a Plumber's Apprentice unless such person has in effect a certificate of registration from the Department specifying such person as a registered Plumber's Apprentice.

D. No firm, association or partnership shall engage in the plumbing business in this State or represent themselves as plumbing contractors or plumbers in the business of plumbing or any of its branches, unless at least one active member or partner thereof continually engaged in the conduct, supervision or performance of the firm, association or partnership business shall be a licensed Master Plumber as provided in this Act.

E. No corporation shall engage in this State in the plumbing business or represent itself as a plumbing contractor unless a licensed Master Plumber as provided in this Act shall engage in the supervision of its plumbing installation and work and unless further a licensed Master Plumber as provided in this Act shall be an active corporate official of such corporation, actively and continually engaged in its plumbing business.

F. Every individual, partnership, firm, association or corporation, engaged in the plumbing business in this State with sites or places of business in different cities of this State, shall have at least one licensed Master Plumber as provided in this Act continually in charge and supervision in each city, where a site or place of plumbing business is so operated.

G. No person in this State shall be permitted in any event to hold at the same time a license as a Journeyman Plumber and also a license as a Master Plumber and no person licensed as a Journeyman Plumber shall perform any of the acts or projects specified in this Act for performance by a Master Plumber.

H. No city, town, village, county, park district, municipal corporation or other subdivision of government in this State shall engage in the installation, maintenance or repair of plumbing unless such installation, maintenance, repair or work is carried on under the supervision of one or more Master Plumbers in the employ of such city, town, park district, county or subdivision of government, provided nothing in this Section shall be construed to prevent any subdivision of government from contracting for plumbing with an individual, firm, partnership, association or corporation authorized to do plumbing business in this State.

Section III. A. A Master Plumber holding a license in effect from the Department specifying such person as a Master Plumber is authorized to engage in the business of a plumbing contractor and also in planning, engineering, superintending, installation, maintenance and repair with respect to plumbing in all its branches and such person, as a Master Plumber is authorized to employ Journeyman Plumbers and Plumber's Apprentices and other persons necessary for the proper conduct of the business of plumbing.

B. A Journeyman Plumber holding a license in effect from the Department specifying such person as a Journeyman Plumber is authorized to engage in the plumbing business only as an employee of a licensed Master Plumber, partnership, firm or corporation, authorized to engage in the plumbing business. A Journeyman Plumber as such employee may engage in the installation, maintenance and repair of plumbing in all its branches provided that such Journeyman Plumber may only continue in the performance of his occupation under the general supervision of a licensed Master Plumber.

C. A Plumber's Apprentice holding a certificate of registration in effect is authorized to engage in the employment of learning the plumbing trade, but may only engage and continue in the plumbing trade as an employee of a licensed Master Plumber, firm, partnership or corporation, authorized to engage in the plumbing business, and under the direct personal supervision of a licensed Master Plumber, or a licensed Journeyman Plumber, in the employ of a licensed Master Plumber; provided, that no Plumber's Apprentice in this State shall engage or work in the performance of acts as a Master Plumber or a Journeyman Plumber.

Any master plumber or journeyman plumber holding a license issued by the Department is permitted to engage in the business of a master plumber or as a journeyman plumber any place in this state including any city, village or incorporated town having a population of five hundred thousand (500,000) or more inhabitants.

B. The Board shall aid and cooperate with the Director of the Department by:

1. Preparing forms for applications for examinations for licenses and registrations.

2. In preparing subject matter, questions and all necessary items for examination as provided in this Act.

3. In preparation of rules to govern examinations and registrations and hearings for revocation and reinstatement of licenses and certificates of registration.

4. To act as a committee to make written reports and recommendations to the Director of the Department.

5. Such other duties for the purposes of carrying out the provisions of this Act as such duties are from time to time prescribed by the Director of the Department.

C. The members of the Board shall be paid at the rate of \$10.00 per day for actual time devoted in performing the duties specified in this Act. The members shall also be reimbursed for traveling expenses necessary in performance of such duties. (As amended by Act approved July 19, 1939.)

(Note: The second subsections B and C were inadvertently transposed in the engrossed law from Section IV, post.)

Section IV. A. There is hereby created in the State of Illinois a State Board of Plumbing Examiners which shall exercise its duties and

powers as provided in this Act under the supervision of the Department. The Board shall be composed of persons designated from time to time by the Director of the Department. It shall be composed of one licensed Master Plumber who has had a Master Plumber's license in effect for at least 2 years, and one licensed Journeyman Plumber who has had a Journeyman Plumber's license in effect for at least 2 years, and a third member designated by the Director. In making the appointments of licensed Master Plumbers to the Board, the Director shall give due consideration to the recommendations of the Illinois Master Plumbers Association as communicated to the Director in writing by the Secretary of the Illinois Master Plumbers Association. In making the appointments of licensed Journeyman Plumbers to the Board the Directors shall give due consideration to the recommendations of the Illinois Association of Journeyman Plumbers and Steamfitters as conveyed to the Director in writing by the Secretary of the Illinois Association of Journeyman Plumbers and Steamfitters.

Section V. A. The Director of the Department of Registration and Education of the State of Illinois is hereby imposed with the responsibility and duty:—

1. To designate members of the State Board of Plumbing Examiners.

2. With the aid of the Board to prepare forms for application for examinations as provided hereinafter.

3. To prepare license certificates and certificates of registration and issue the same in conformity with this Act.

4. With the aid and cooperation of the Board to prescribe rules and regulations for the conduct of examinations of applicants for licenses and to prepare the subject matter of such examinations.

5. To prescribe rules and regulations consistent with the provisions of this Act for hearings to revoke, or reinstate certificates of license as provided in this Act with the aid and written recommendations of the Board.

6. To maintain an up to date record specifying names and addresses of licensed Master and Journeyman Plumbers of this State and registered Plumber's Apprentices. Such record shall show dates of issuance of all license certificates and certificates of registration and be subject to public inspection. Such record shall also show dates of filing of complaints and the nature of such complaints for revocation of licenses or certificates of registration and the date of, as well as the final order upon, such complaints.

7. To prescribe standards for what shall constitute a recognized college or university, and to determine the conformance to such standards.

Section VI. A. Any applicant for a certificate of license of Master Plumber in this State shall present his application therefor to the Department on the printed form provided for applicants by the Department for Master Plumber's license. No application for a certificate of license of a Master Plumber shall be filed by the Department nor shall any applicant be permitted to take the examination for the certificate of license for a Master Plumber, unless:

1. The application is accompanied by an application fee of \$100.00 for the first examination, \$25.00 for the second examination, \$25.00 for the third examination and \$100.00 for each examination thereafter payable to the Department;

2. The applicant is a citizen of the United States;

3. The application is accompanied with affidavits of applicant's employer or former employer or other satisfactory evidence showing the applicant has been actually engaged as a licensed Journeyman Plumber for at least 5 years, or that such applicant has been graduated from a recognized college or university in the course of plumbing or sanitary engineering or mechanical engineering or civil engineering or architectural engineering, and has also been employed by a licensed Master Plumber for at least 2 years as a licensed Journeyman Plumber, or that the applicant has been a student in a recognized college or university and has pursued a course in plumbing or sanitary engineering or mechanical engineering or civil engineering or architectural engineering for at least 3 years and has thereafter been employed as a licensed Journeyman Plumber by a Master Plumber for at least 3 years.

Service while in the armed forces of the United States when such applicant worked as a plumber while in the armed forces, shall be considered, and credit therefor shall be given, in computing the length of service as a Journeyman Plumber hereinbefore prescribed by this section, when the applicant furnishes the Department with satisfactory evidence of his service as a plumber and the length of such service while in the armed forces.

B. Any applicant for a certificate of license of Journeyman Plumber in this State shall present his application therefor to the Department on the printed form provided by the Department for Journeyman Plumber's license. No application for a certificate of license of a Journeyman Plumber shall be filed by the Department nor shall any applicant be permitted to take the examination for the certificate of license of a Journeyman Plumber, unless:

1. Accompanied by a fee of \$25.00 for the first examination, \$10.00 for the second examination, \$10.00 for the third examination and \$25.00 for each examination thereafter payable to the Department.

2. The application is accompanied by affidavit of the applicant's employer or former employer or other satisfactory evidence that the applicant has been occupied as a Plumber's Apprentice for at least 5 years, or that the applicant has pursued a course in plumbing or sanitary engineering or mechanical engineering or civil engineering or architectural engineering for at least 3 years in a recognized college or university, and has also served 2 years as a registered plumber's apprentice.

Service while in the armed forces of the United States when such applicant worked as a plumber while in the armed forces, shall be considered, and credit therefor shall be given, in computing the length of service as a plumber's apprentice hereinbefore prescribed by this section, when the applicant furnishes the Department with satisfactory evidence of his service and the length of such service as a plumber while in the armed forces.

C. Any applicant for a certificate of registration of a plumber's apprentice shall present his application on the form provided by the Department for application of a Plumber's Apprentice, provided that no such application shall be filed unless:

1. The application contains satisfactory evidence that the applicant is at least 16 years of age.

2. The application is accompanied by an affidavit of a licensed Master Plumber that the applicant is to be immediately employed by such Master Plumber upon the issuance of the certificate of registration.

D. Any person who holds a certificate of license of a Master Plumber or a Journeyman Plumber or a certificate of registration of a Plumber's Apprentice, shall notify the Department promptly in the event of change of his address from the address specified in his certificate of license of a Master Plumber or Journeyman Plumber or certificate of registration of a Plumber's Apprentice. (As amended by Act approved June 30, 1945.)

Section VII. A. The Department shall provide and conduct examinations at least 4 times each year of applicants who have had their applications for certificate of Master Plumber's license placed on file with the Department and also provide and conduct examinations at least 4 times each year for applicants who have had their application of license of a Journeyman Plumber placed on file with the Department. Any applicant who has had his application placed on file with the Department at least 10 days prior to the date set for either the examination of Master Plumber or Journeyman Plumber shall be permitted to take the examination. All such examinations shall be conducted by the Department with the aid and cooperation of the Board and shall be conducted at places designated by the Department within the State consistent with the reasonable convenience of applicants.

B. The Director of the Department shall allow or deny applications for certificate of Master Plumber's license or Journeyman Plumber's license upon the recommendation of the Board, respecting each applicant as soon after such examination as practicable. Each applicant who has successfully passed the examination and has had his application allowed for a certificate of license of either a Master Plumber or a Journeyman Plumber, as the case may be, shall have issued and mailed

to him by the Department at his address on the application a certificate, specifying such person as a Master Plumber or a Journeyman Plumber, as the case may be. All applicants who have failed to pass the examination and have had their application denied shall also be notified by mail directed to the applicant's address shown on the application.

C. All certificates of license and of registration shall be issued by the Department in the name of the Department with the seal thereof attached.

D. No applicant who has failed in his first examination for either a Master or a Journeyman Plumber's license shall be permitted to take a second examination until after the expiration of six months following the date of the first examination of which such applicant failed; nor to take a third examination until after the expiration of six months following the date of the second examination; nor to take any subsequent examination until after the expiration of one year following his last previous examination; provided such applicant, in order to take successive examinations, shall pay the fees required in the previous section.

E. All certificates of license of Master and Journeyman Plumbers shall expire on May 1st next following date of issuance. Every license of either a Master or Journeyman Plumber issued by the Department may be renewed for a period of one year from each succeeding May 1st, upon the payment during the month of April of an annual renewal fee of \$25.00 for a Master Plumber and \$2.00 for a Journeyman Plumber's license. Certificates of license having expired for failure of the holder to pay such renewal fee shall be reinstated by the Department; provided, that within 6 months following the date of expiration the holder

shall pay to the Department a penalty of \$10.00 in addition to the annual renewal fee for Master Plumbers and \$1.00 in addition to the annual renewal fee for Journeyman Plumbers. All certificates of either Master or Journeyman Plumbers having expired for failure to pay such renewal fee and not reinstated within 6 months as provided in this Section shall stand revoked and no new certificates of license shall be issued except as provided in the case of original applicants.

However, any Master or Journeyman Plumber whose certificate of license has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate of license renewed without paying any lapsed renewal fees or penalties, or without taking any examination, if within one year after termination of such service, training or education other than by dishonorable discharge, he furnishes the Department with an affidavit to the effect that he has been so engaged and that his service, training or education has been so terminated. (As amended by Act approved July 21, 1941.)

Section VIII. A. In every place in this State within and from which a plumbing business is conducted as specified for a Master Plumber there shall be at all times on display a certificate of license in effect of a Master Plumber as provided in this Act. Any person, partnership, firm, association or corporation engaged in the plumbing business in two or more places of business within the same village, town or city shall display in each place of business either a

certificate of license in effect of a Master Plumber as provided in this Act or a branch office certificate of license in effect of Master Plumber to be issued by the Department upon application, provided, that in the principal place of business of such individual, partnership, firm, association or corporation there shall be displayed an original certificate of a Master Plumber in effect as provided in this Act.

Section IX. Any city, village or incorporated town having a population of five hundred thousand or more, may, by ordinance, provide for a board of plumbing examiners to conduct examinations for journeyman plumbers and master plumbers, to register plumbers' apprentices, and to issue and revoke plumbers' licenses within such city, village or incorporated town. The provisions of this Act except as otherwise herein provided, shall not apply within any such city, village or incorporated town which enacts such ordinance.

Any person authorized under the provisions of this section to engage as a master plumber or journeyman plumber in any such city, village or incorporated town is authorized to engage as a master plumber or journeyman plumber anywhere in this state.

Nothing contained in this Act shall prohibit any city, village or incorporated town from providing for a plumbing inspector or from requiring permits for the installation and repair of plumbing and collecting a fee therefor. (As amended by Act approved July 19, 1939.)

Section X. A. It is hereby declared to be the policy of this State that each city, town or village with a system of water supply or sewage or both should so soon after the enactment of this Act as practicable, with the advice of the State Department of Health,

provide by Ordinance, by-laws or rules and regulations for the materials, construction, alteration, and inspection of all plumbing placed in or in connection with any building in any such city, town or village and to provide for and appoint a competent Plumbing Inspector or more as required. Such appointee shall be a Master Plumber or a Journeyman Plumber with a license of a Journeyman Plumber in effect for at least 5 years.

B. The Department of Public Health shall conduct inquiry in any city, town or village, or at any other place in the State when reasonably necessary in the judgment of the Director of the Department of Health to safeguard the health of any person or persons in this State on account of any piping or appurtenant appliances within any building or outside, when such piping and appliances are for the use of plumbing as defined in this Act and for the use of carrying sewage or waste within or from any building.

C. The Department of Public Health may conduct such inquiries in any city, town or village in this State by directing the Plumbing Inspector thereof to aid in or conduct such inquiry or investigation in behalf of the Department of Public Health, or the Department of Public Health may designate some other person or persons to conduct such investigation.

Section XI. A. The Department of Registration and Education shall revoke the certificate of license of any Master Plumber or any Journeyman Plumber, or certificate of registration of any Plumber's Apprentice, after hearing when the weight of the evidence establishes any one or more of the following specific violations:

1. For having obtained or conspired with others to obtain a certificate of license of a

Master Plumber or Journeyman Plumber or certificate of registration of a Plumber's Apprentice by inducing the issuance of such license or certificate of registration in consideration of the payment of money or any other thing of value, or by and through a wilful or fraudulent misrepresentation of facts in pursuance thereof.

2. Wilful violation of any Plumbing Ordinance, or by-laws of any city, town or village or of any law of this State regulating the conduct of plumbing work.

3. On account of knowingly aiding or assisting any person to engage in the work specified for a Master Plumber or a Journeyman Plumber or a Plumber's Apprentice, when such person has not a license or certificate of registration in effect as provided in this Act.

4. Because of any Master Plumber or Journeyman Plumber or Plumber's Apprentice wilfully and fraudulently loaning his certificate of license or registration to any other person for the purpose of permitting such person to engage in any plumbing work in violation of the provisions of this Act.

5. In the event any licensee or registrant as provided in this Act, shall be convicted of a felony.

6. On account of any wilful violation of any of the provisions of this Act.

7. No proceedings to revoke a license or certificate of registration as provided in this Section, shall be instituted unless filed with the Department of Registration and Education within 3 years next after the date or dates of violation provided that in the event the licensee or registrant is outside the State of Illinois subsequent to the commission of any violation as provided herein, the time during which he is absent from the State of Illinois shall not be included as a part of such 3 years of limitation.

Section XII. A. No license of a Master Plumber or Journeyman Plumber or certificate of registration of a Plumber's Apprentice shall be revoked or cancelled until after a full and impartial hearing as provided in this section.

1. No hearing for the purpose of revoking any license of a Master Plumber or license of a Journeyman Plumber or certificate of a Plumber's Apprentice shall be held unless there is first placed on file with the Department a verified complaint in writing reciting therein with reasonable particularity a statement of facts which if proved would be sufficient to constitute a violation of one or more of the specifications for revocation of license or certificate set forth in Section II of this Act.

2. Upon the filing of a verified complaint as provided herein the Department shall promptly set a date for a hearing of the charges of the complaint which shall be held either in the City of Chicago or the City of Springfield in this State. The Department shall promptly mail to the licensee or registrant charged in the complaint a true and correct copy of such complaint and notification of the time and place when and where a hearing of such charges shall be had. Such copy of the complaint and notification shall be served on the licensee or registrant at least 20 days prior to the date therein set for the hearing either by delivery of the same personally to the licensee or registrant or by mailing the same by registered mail to the last known place of address of such licensee or registrant.

3. At the time and place fixed in such notification the Board of Plumbing Examiners under supervision of the Department shall proceed to a hearing of the charges specified in the complaint. No hearing upon the charges of the complaint shall be had unless the rec-

ords of the Department contain evidence that the licensee or registrant charged in the complaint has been so served with a copy of the complaint and notification at least 20 days prior to the date of such hearing, provided that the appearance of the licensee or registrant so charged, either in his own behalf or by counsel, shall constitute proof that sufficient notice of the hearing was served.

4. A complaining party by himself or by counsel may aid in the presentation of evidence toward sustaining the complaint. Ample opportunity shall be accorded for hearing of all evidence and statement of counsel either in support of or against the charges of the complaint. Upon good cause shown the date of the hearing on the Complaint may be continued provided the licensee or registrant and other interested parties shall be reasonably notified about the date of the continuance.

B. The Department shall have power to subpoena and bring before it or the Board of Plumbing Examiners, to any hearing, any person in this State to give evidence and to take testimony, either orally or by deposition, or both, and to issue subpoena duces tecum for any books and records or other documents necessary or relevant at any hearing, with the same fees and mileage and in the same manner as prescribed by law in Judicial Procedure in civil cases in Courts of this State.

C. The Director, Assistant Director, Superintendent of Registration and any member of the State Board of Plumbing Examiners shall have power to administer oaths to witnesses at a hearing which the Department is authorized by law to conduct and any other oaths authorized or administered by the Department.

Section XIII. A. Any Circuit or Superior Court or any Judge thereof, either in term time

or vacation upon the application of the licensee or registrant or complainant or of the Department, may by order duly entered require the attendance of witnesses and the production of relevant books and papers before the Department or the Board in any hearing upon a complaint as provided in this Act and may compel obedience to its or his order by proceedings for contempt.

Section XIV. A. The Department at its expense shall provide a stenographer to take down the testimony and to preserve a record of all proceedings at the hearing upon any complaint. The complaint and other documents in the nature of pleadings and other motions filed in the proceedings, the transcript of testimony, report of the committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person upon payment therefor of 24c per 100 words for each original transcript and 6c per 100 words for each carbon copy thereof.

Section XV. A. The State Board of Plumbing Examiners upon completion of any hearing held on a verified complaint shall present to the Director of Registration and Education a written report of their findings and recommendations. The Director of the Department shall thereupon order that the license or certificate of the licensee or registrant charged in the complaint shall be revoked or that the complaint shall be dismissed in accordance with the recommendations of the Board. A copy of such order shall immediately be served upon the licensee or registrant either personally or by registered mail. The order of the Department shall be final unless the licensee or registrant so charged, or complainant, shall within 20 days after receipt of such order file with the Department his motion in

writing for a rehearing specifying therein the points and reasons therefor. The filing of a motion for rehearing shall stay the operation of the order pending a final decision on such motion. A motion for a rehearing shall be immediately referred by the Director to the Board for recommendations thereon. If the motion is allowed by the Director, the Board shall proceed as in the case of original hearing on a complaint. Not more than one rehearing on any complaint shall be granted. The decision of the Department shall be final upon questions of fact.

Section XVI. A. The Circuit or Superior Court of the County wherein the licensee or registrant so charged resides shall have power to review the entire proceedings of any hearing had before the Board or Department and to review any order dismissing a complaint or revocation of a license or certificate and all questions of law presented by such record provided a Writ of Certiorari issued out of such Court within 20 days next after receipt of notification of the determination of the petition for rehearing in the case as provided in Section 15 of this Act. In the event the licensee or registrant so charged has no definite place of residence in any County in this State as shown by the Records of the Department, the Circuit or Superior Court of Cook County or the Circuit Court of Sangamon County shall have power to review such transcript and proceedings and orders of the Department.

B. Such Writ of Certiorari shall be issued by the Clerk of the Court immediately upon the filing of a praecipe therefor. Such Writ of Certiorari shall be directed to the Director, Assistant Director or Superintendent of the Department of Registration and Education of the State of Illinois by registered mail. The

certificate of the Clerk that such Writ of Certiorari has been so mailed to the Department of Registration and Education will constitute evidence that proper service has been made. The Clerk of the Court shall also direct by registered mail, notification to the complainant in such proceedings and also notification by registered mail to the licensee or registrant charged in said proceedings, as such complainant and licensee or registrant is shown on the praecipe together with their last known address. The notification of the proceedings so issued by the Clerk of the Court shall advise the date the praecipe was filed, the title of the cause and the return day thereof. The Department upon receipt of the Writ of Certiorari shall immediately prepare a complete transcript of the record and proceedings in said cause certified as to correctness by the Director of the Department and transmit the same to the Clerk of the Court. Immediately upon receipt thereof the Clerk shall set the earliest date convenient for the Court for a hearing before the Court of such Writ of Certiorari and notify counsel of record respecting such date for hearing.

C. No praecipe for Writ of Certiorari shall be filed in any Court unless accompanied by a receipt of the Department of Registration and Education acknowledging payment of the record of proceedings to be transcribed in the cause.

D. The Circuit or Superior Court shall upon hearing review the record of proceedings had before the Department and Board of Plumbing Examiners and shall either confirm or reverse the order of the Department. The Court may in its discretion remand the cause to the Department for further proceedings.

E. No Department order of revocation or dismissal shall be set aside or vacated on any

ground not specified in the written motion for rehearing provided for in Section 15.

Section XVII. A. At any time after the final revocation of a license or certificate of registration, the Department may upon a written verified application of the licensee or registrant for restoration of such license or certificate of registration refer said application to the Board for hearing and recommendation. In the event the Board recommends that such license or certificate of registration shall be restored the Department shall so order and issue to the licensee or registrant his license or certificate in conformity therewith.

Section XVIII. A. The pendency of an appeal or writ of certiorari shall not of itself stay or suspend the operation of any order of revocation or dismissal of a complaint but during the pendency of such suit or appeal, the Circuit or Superior Court or the Supreme Court, as the case may be, in its discretion, may stay the operation of such order of the Department. No such stay shall be granted by the Court otherwise than upon 10 days' notice to the complainant, registrant and the Department and after a hearing before the Court or in justice thereof.

B. An order of revocation or dismissal of a complaint or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that;

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Board of Plumbing Examiners and the members thereof are qualified to act.

Section XIX. A. Appeals from all final orders and judgments entered by a circuit or superior

court in review of an order of the Department, as provided in Section 16 of this Act may be taken directly to the Supreme Court by either party to the cause or the Department provided that such appeal shall be governed and conform to the law and rules of courts applying to appeal under the Civil Practice Act of Illinois.

Section XX. A. The Judicial determination that any section, paragraph, provision or sentence of this Act is unconstitutional, shall not in any way affect the Constitutionality of any other sentence, provision, paragraph or section hereof.

Section XXI. A. Any person violating any provision of this Act shall be guilty of a misdemeanor and subject to a fine of not less than \$25.00 and not more than \$500.00 or by confinement in the county jail not more than 6 months, either or both in the discretion of the Court, for a first offense and for a second and subsequent violation of this Act shall be subject to a fine of not less than \$50.00 and confinement in the county jail for not more than 1 year as the Court may decide.

B. All fines and penalties shall inure to the Department. It shall be the duty of the State's Attorney of the County where an offense under the provisions of this Act is committed to prosecute all persons violating any of the provisions of this Act upon complaint being made.

Section XXII. This Act is hereby designated as The Illinois Plumbing License Law.

(Printed by the authority of the State of Illinois)



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THE ILLINOIS PLUMBING LICENSE LAW

STATE OF ILLINOIS
DWIGHT H. GREEN
GOVERNOR



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UNIVERSITY OF ILLINOIS

DEPARTMENT OF
REGISTRATION AND EDUCATION
FRANK G. THOMPSON
Director

SPRINGFIELD

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THE ILLINOIS PLUMBING LICENSE LAW

An Act in relation to the regulation of plumbing and licensing of Master Plumbers, Journeyman Plumbers and registration of Plumber's Apprentices, and for the protection of public health, and repeal of a certain Act therein named. (Filed June 17, 1935.)

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

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Section I. A. The word or term Plumbing as used in this Act means and shall include:

1. All piping, fixtures, appurtenances and appliances for a supply of water for all personal or domestic purposes in and about buildings where a person or persons live, work or assemble. Plumbing as used herein shall also include piping, fixtures, appurtenances and appliances for a sanitary drainage and related ventilation system within a building, and all piping, fixtures, appurtenances and appliances outside a building connecting the building with the source of water supply on the premises or the main in the street, alley or at the curb.

2. All piping, fixtures, appurtenances, appliances, drain or waste pipes carrying domestic sewage from the foundation walls of a building to the sewer service lateral at the curb

or in the street or alley or other disposal terminal holding private or domestic sewage.

3. Plumbing shall also include the installation, repair, maintenance and work upon and connection with such piping, fixtures, appliances, appurtenances, drain or waste pipes, except minor repairs by a person upon his own premises.

However, the word or term plumbing, as used in this Act, shall not mean or include, and nothing in this Act shall be held or construed to have any application to, piping, fixtures, appurtenances and appliances, or drain or waste pipes, in and about any building or other structure located upon property outside the corporate limits of a city, village or incorporated town and not subdivided into lots or blocks pursuant to "An Act to revise the law in relation to plats", approved March 21, 1874, as amended.

B. Department as the word or term is used in this Act shall mean the Department of Registration and Education of the State of Illinois.

C. The term or word Board, as used in this Act, shall mean the Illinois State Board of Plumbing Examiners.

D. A Master Plumber, within the meaning of this Act, is a person who has a license in effect as provided in this Act from the Illinois Department of Registration and Education specifying such person therein as a Master Plumber.

E. A Journeyman Plumber, within the meaning of this Act, is a person other than a Master Plumber who has a license in effect as provided in this Act from the Illinois Department of Registration and Education specifying such person as a Journeyman Plumber.

F. A Plumber's Apprentice, within the meaning of this Act, is a person in this State other than a Master or Journeyman Plumber who has in effect a certificate of registration as provided in this Act specifying such person as a Plumber's Apprentice. (As amended by Act filed July 26, 1939.)

Section II. A. No person shall engage in this State in the business of a Master Plumber, or as an employer of a Journeyman Plumber or Plumber's Apprentice or shall enter into contracts or agreements for the installation, maintenance or repair of plumbing or perform any of the acts specified in this Act for performance by a Master Plumber unless such person has in effect a certificate of license from the Department specifying such person as a Master Plumber.

B. No person shall engage in this State as a Journeyman Plumber unless such person has in effect a Journeyman Plumber's license from the Department specifying such person as a Journeyman Plumber.

C. No person shall be employed as a Plumber's Apprentice in this State or enter and continue in the occupation of a Plumber's Apprentice unless such person has in effect a certificate of registration from the Department specifying such person as a registered Plumber's Apprentice.

D. No firm, association or partnership shall engage in the plumbing business in this State or represent themselves as plumbing contractors or plumbers in the business of plumbing or any of its branches, unless at least one active member or partner thereof continually engaged in the conduct, supervision or performance of the firm, association or partnership business shall be a licensed Master Plumber as provided in this Act.

E. No corporation shall engage in this State in the plumbing business or represent itself as a plumbing contractor unless a licensed Master Plumber as provided in this Act shall engage in the supervision of its plumbing installation and work and unless further a licensed Master Plumber as provided in this Act shall be an active corporate official of such corporation, actively and continually engaged in its plumbing business.

F. Every individual, partnership, firm, association or corporation, engaged in the plumbing business in this State with sites or places of business in different cities of this State, shall have at least one licensed Master Plumber as provided in this Act continually in charge and supervision in each city, where a site or place of plumbing business is so operated.

G. No person in this State shall be permitted in any event to hold at the same time a license as a Journeyman Plumber and also a license as a Master Plumber and no person licensed as a Journeyman Plumber shall perform any of the acts or projects specified in this Act for performance by a Master Plumber.

H. No city, town, village, county, park district, municipal corporation or other subdivision of government in this State shall engage in the installation, maintenance or repair of plumbing unless such installation, maintenance, repair or work is carried on under the supervision of one or more Master Plumbers in the employ of such city, town, park district, county or subdivision of government, provided nothing in this Section shall be construed to prevent any subdivision of government from contracting for plumbing with an individual, firm, partnership, association or corporation authorized to do plumbing business in this State.

Section III. A. A Master Plumber holding a license in effect from the Department specifying such person as a Master Plumber is authorized to engage in the business of a plumbing contractor and also in planning, engineering, superintending, installation, maintenance and repair with respect to plumbing in all its branches and such person, as a Master Plumber is authorized to employ Journeyman Plumbers and Plumber's Apprentices and other persons necessary for the proper conduct of the business of plumbing.

B. A Journeyman Plumber holding a license in effect from the Department specifying such person as a Journeyman Plumber is authorized to engage in the plumbing business only as an employee of a licensed Master Plumber, partnership, firm or corporation, authorized to engage in the plumbing business. A Journeyman Plumber as such employee may engage in the installation, maintenance and repair of plumbing in all its branches provided that such Journeyman Plumber may only continue in the performance of his occupation under the general supervision of a licensed Master Plumber.

C. A Plumber's Apprentice holding a certificate of registration in effect is authorized to engage in the employment of learning the plumbing trade, but may only engage and continue in the plumbing trade as an employee of a licensed Master Plumber, firm, partnership or corporation, authorized to engage in the plumbing business, and under the direct personal supervision of a licensed Master Plumber, or a licensed Journeyman Plumber, in the employ of a licensed Master Plumber; provided, that no Plumber's Apprentice in this State shall engage or work in the performance of acts as a Master Plumber or a Journeyman Plumber.

Any master plumber or journeyman plumber holding a license issued by the Department is permitted to engage in the business of a master plumber or as a journeyman plumber any place in this state including any city, village or incorporated town having a population of five hundred thousand (500,000) or more inhabitants.

B. The Board shall aid and cooperate with the Director of the Department by:

1. Preparing forms for applications for examinations for licenses and registrations.

2. In preparing subject matter, questions and all necessary items for examination as provided in this Act.

3. In preparation of rules to govern examinations and registrations and hearings for revocation and reinstatement of licenses and certificates of registration.

4. To act as a committee to make written reports and recommendations to the Director of the Department.

5. Such other duties for the purposes of carrying out the provisions of this Act as such duties are from time to time prescribed by the Director of the Department.

C. The members of the Board shall be paid at the rate of \$10.00 per day for actual time devoted in performing the duties specified in this Act. The members shall also be reimbursed for traveling expenses necessary in performance of such duties. (As amended by Act approved July 19, 1939.)

(Note: The second subsections B and C were inadvertently transposed in the engrossed law from Section IV, post.)

Section IV. A. There is hereby created in the State of Illinois a State Board of Plumbing Examiners which shall exercise its duties and

powers as provided in this Act under the supervision of the Department. The Board shall be composed of persons designated from time to time by the Director of the Department. It shall be composed of one licensed Master Plumber who has had a Master Plumber's license in effect for at least 2 years, and one licensed Journeyman Plumber who has had a Journeyman Plumber's license in effect for at least 2 years, and a third member designated by the Director. In making the appointments of licensed Master Plumbers to the Board, the Director shall give due consideration to the recommendations of the Illinois Master Plumbers Association as communicated to the Director in writing by the Secretary of the Illinois Master Plumbers Association. In making the appointments of licensed Journeyman Plumbers to the Board the Directors shall give due consideration to the recommendations of the Illinois Association of Journeyman Plumbers and Steamfitters as conveyed to the Director in writing by the Secretary of the Illinois Association of Journeyman Plumbers and Steamfitters.

Section V. A. The Director of the Department of Registration and Education of the State of Illinois is hereby imposed with the responsibility and duty:—

1. To designate members of the State Board of Plumbing Examiners.

2. With the aid of the Board to prepare forms for application for examinations as provided hereinafter.

3. To prepare license certificates and certificates of registration and issue the same in conformity with this Act.

4. With the aid and cooperation of the Board to prescribe rules and regulations for the conduct of examinations of applicants for licenses and to prepare the subject matter of such examinations.

5. To prescribe rules and regulations consistent with the provisions of this Act for hearings to revoke, or reinstate certificates of license as provided in this Act with the aid and written recommendations of the Board.

6. To maintain an up to date record specifying names and addresses of licensed Master and Journeyman Plumbers of this State and registered Plumber's Apprentices. Such record shall show dates of issuance of all license certificates and certificates of registration and be subject to public inspection. Such record shall also show dates of filing of complaints and the nature of such complaints for revocation of licenses or certificates of registration and the date of, as well as the final order upon, such complaints.

7. To prescribe standards for what shall constitute a recognized college or university, and to determine the conformance to such standards.

Section VI. A. Any applicant for a certificate of license of Master Plumber in this State shall present his application therefor to the Department on the printed form provided for applicants by the Department for Master Plumber's license. No application for a certificate of license of a Master Plumber shall be filed by the Department nor shall any applicant be permitted to take the examination for the certificate of license for a Master Plumber, unless:

1. the application is accompanied by an application fee of \$100.00 for the first examination, \$25.00 for the second examination, \$25.00 for the third examination and \$100.00 for each examination thereafter payable to the Department;

2. the applicant is a citizen of the United States;

3. the application is accompanied with affidavits of applicant's employer or former employer or other satisfactory evidence showing the applicant has been actually engaged as a licensed Journeyman Plumber for at least 5 years, or that such applicant has been graduated from a recognized college or university in the course of plumbing or sanitary engineering or mechanical engineering or civil engineering or architectural engineering, and has also been employed by a licensed Master Plumber for at least 2 years as a licensed Journeyman Plumber, or that the applicant has been a student in a recognized college or university and has pursued a course in plumbing or sanitary engineering or mechanical engineering or civil engineering or architectural engineering for at least 3 years and has thereafter been employed as a licensed Journeyman Plumber by a Master Plumber for at least 3 years.

Service while in the armed forces of the United States when such applicant worked as a plumber while in the armed forces, shall be considered, and credit therefor shall be given, in computing the length of service as a Journeyman Plumber hereinbefore prescribed by this section, when the applicant furnishes the Department with satisfactory evidence of his service as a plumber and the length of such service while in the armed forces.

B. Any applicant for a certificate of license of Journeyman Plumber in this state shall present his application therefor to the Department on the printed form provided by the Department for Journeyman Plumber's license. No application for a certificate of license of a Journeyman Plumber shall be filed by the Department nor shall any applicant be permitted to take the examination for the certificate of license of a Journeyman Plumber, unless:

1. Accompanied by a fee of \$25.00 for the first examination, \$10.00 for the second examination, \$10.00 for the third examination and \$25.00 for each examination thereafter payable to the Department.

2. The application is accompanied by affidavit of the applicant's employer or former employer or other satisfactory evidence that the applicant has been occupied as a Plumber's Apprentice for at least 5 years, or that the applicant has pursued a course in plumbing or sanitary engineering or mechanical engineering or civil engineering or architectural engineering for at least 3 years in a recognized college or university, and has also served 2 years as a registered plumber's apprentice.

Service while in the armed forces of the United States when such applicant worked as a plumber while in the armed forces, shall be considered, and credit therefor shall be given, in computing the length of service as a plumber's apprentice hereinbefore prescribed by this section, when the applicant furnishes the Department with satisfactory evidence of his service and the length of such service as a plumber while in the armed forces.

C. Any applicant for a certificate of registration of a plumber's apprentice shall present his application on the form provided by the Department for application of a Plumber's Apprentice, provided that no such application shall be filed unless:

1. The application contains satisfactory evidence that the applicant is at least 16 years of age.

2. The application is accompanied by an affidavit of a licensed Master Plumber that the applicant is to be immediately employed by such Master Plumber upon the issuance of the certificate of registration.

D. Any person who holds a certificate of license of a Master Plumber or a Journeyman Plumber or a certificate of registration of a Plumber's Apprentice, shall notify the Department promptly in the event of change of his address from the address specified in his certificate of license of a Master Plumber or Journeyman Plumber or certificate of registration of a Plumber's Apprentice. (As amended by Act approved June 30, 1945.)

Section VII. A. The Department shall provide and conduct examinations at least 4 times each year of applicants who have had their applications for certificate of Master Plumber's license placed on file with the Department and also provide and conduct examinations at least 4 times each year for applicants who have had their application of license of a Journeyman Plumber placed on file with the Department. Any applicant who has had his application placed on file with the Department at least 10 days prior to the date set for either the examination of Master Plumber or Journeyman Plumber shall be permitted to take the examination. All such examinations shall be conducted by the Department with the aid and co-operation of the Board and shall be conducted at places designated by the Department within the State consistent with the reasonable convenience of applicants.

B. The Director of the Department shall allow or deny applications for certificate of Master Plumber's license or Journeyman Plumber's license upon the recommendation of the Board, respecting each applicant as soon after such examination as practicable. Each applicant who has successfully passed the examination and has had his application allowed for a certificate of license of either a Master Plumber or a Journeyman Plumber, as the case may be, shall have issued and mailed

to him by the Department at his address on the application a certificate, specifying such person as a Master Plumber or a Journeyman Plumber, as the case may be. All applicants who have failed to pass the examination and have had their application denied shall also be notified by mail directed to the applicant's address shown on the application.

C. All certificates of license and of registration shall be issued by the Department in the name of the Department with the seal thereof attached.

D. No applicant who has failed in his first examination for either a Master or a Journeyman Plumber's license shall be permitted to take a second examination until after the expiration of six months following the date of the first examination of which such applicant failed; nor to take a third examination until after the expiration of six months following the date of the second examination; nor to take any subsequent examination until after the expiration of one year following his last previous examination; provided such applicant, in order to take successive examinations, shall pay the fees required in the previous section.

E. All certificates of license of Master and Journeyman Plumbers shall expire on May 1st next following date of issuance. Every license of either a Master or Journeyman Plumber issued by the Department may be renewed for a period of one year from each succeeding May 1st, upon the payment during the month of April of an annual renewal fee of \$25.00 for a Master Plumber and \$2.00 for a Journeyman Plumber's license. Certificates of license having expired for failure of the holder to pay such renewal fee shall be reinstated by the Department; provided, that within 6 months following the date of expiration the holder

shall pay to the Department a penalty of \$10.00 in addition to the annual renewal fee for Master Plumbers and \$1.00 in addition to the annual renewal fee for Journeyman Plumbers. All certificates of either Master or Journeyman Plumbers having expired for failure to pay such renewal fee and not reinstated within 6 months as provided in this section shall stand revoked and no new certificates of license shall be issued except as provided in the case of original applicants.

However, any Master or Journeyman Plumber whose certificate of license has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate of license renewed without paying any lapsed renewal fees or penalties, or without taking any examination, if within two years after termination of such service, training or education other than by dishonorable discharge, he furnishes the Department with an affidavit to the effect that he has been so engaged and that his service, training or education has been so terminated. (As amended by Act approved July 18, 1947.)

Section VIII. A. In every place in this State within and from which a plumbing business is conducted as specified for a Master Plumber there shall be at all times on display a certificate of license in effect of a Master Plumber as provided in this Act. Any person, partnership, firm, association or corporation engaged in the plumbing business in two or more places of business within the same village, town or city shall display in each place of business either a

certificate of license in effect of a Master Plumber as provided in this Act or a branch office certificate of license in effect of Master Plumber to be issued by the Department upon application, provided, that in the principal place of business of such individual, partnership, firm, association or corporation there shall be displayed an original certificate of a Master Plumber in effect as provided in this Act.

Section IX Any city, village or incorporated town having a population of five hundred thousand or more, may, by ordinance, provide for a board of plumbing examiners to conduct examinations for journeyman plumbers and master plumbers, to register plumbers' apprentices, and to issue and revoke plumbers' licenses within such city, village or incorporated town. The provisions of this Act except as otherwise herein provided, shall not apply within any such city, village or incorporated town which enacts such ordinance.

Any person authorized under the provisions of this section to engage as a master plumber or journeyman plumber in any such city, village or incorporated town is authorized to engage as a master plumber or journeyman plumber anywhere in this state.

Nothing contained in this Act shall prohibit any city, village or incorporated town from providing for a plumbing inspector or from requiring permits for the installation and repair of plumbing and collecting a fee therefor. (As amended by Act approved July 19, 1939.)

Section X. A. It is hereby declared to be the policy of this State that each city, town or village with a system of water supply or sewage or both should so soon after the enactment of this Act as practicable, with the advice of the State Department of Health,

provide by Ordinance, by-laws or rules and regulations for the materials, construction, alteration, and inspection of all plumbing placed in or in connection with any building in any such city, town or village and to provide for and appoint a competent Plumbing Inspector or more as required. Such appointee shall be a Master Plumber or a Journeyman Plumber with a license of a Journeyman Plumber in effect for at least 5 years.

B. The Department of Public Health shall conduct inquiry in any city, town or village, or at any other place in the State when reasonably necessary in the judgment of the Director of the Department of Health to safeguard the health of any person or persons in this State on account of any piping or appurtenant appliances within any building or outside, when such piping and appliances are for the use of plumbing as defined in this Act and for the use of carrying sewage or waste within or from any building.

C. The Department of Public Health may conduct such inquiries in any city, town or village in this State by directing the Plumbing Inspector thereof to aid in or conduct such inquiry or investigation in behalf of the Department of Public Health, or the Department of Public Health may designate some other person or persons to conduct such investigation.

Section XI. A. The Department of Registration and Education shall revoke the certificate of license of any Master Plumber or any Journeyman Plumber, or certificate of registration of any Plumber's Apprentice, after hearing when the weight of the evidence establishes any one or more of the following specific violations:

1. For having obtained or conspired with others to obtain a certificate of license of a

Master Plumber or Journeyman Plumber or certificate of registration of a Plumber's Apprentice by inducing the issuance of such license or certificate of registration in consideration of the payment of money or any other thing of value, or by and through a wilful or fraudulent misrepresentation of facts in pursuance thereof.

2. Wilful violation of any Plumbing Ordinance, or by-laws of any city, town or village or of any law of this State regulating the conduct of plumbing work.

3. On account of knowingly aiding or assisting any person to engage in the work specified for a Master Plumber or a Journeyman Plumber or a Plumber's Apprentice, when such person has not a license or certificate of registration in effect as provided in this Act.

4. Because of any Master Plumber or Journeyman Plumber or Plumber's Apprentice wilfully and fraudulently loaning his certificate of license or registration to any other person for the purpose of permitting such person to engage in any plumbing work in violation of the provisions of this Act.

5. In the event any licensee or registrant as provided in this Act, shall be convicted of a felony.

6. On account of any wilful violation of any of the provisions of this Act.

7. No proceedings to revoke a license or certificate of registration as provided in this Section, shall be instituted unless filed with the Department of Registration and Education within 3 years next after the date or dates of violation provided that in the event the licensee or registrant is outside the State of Illinois subsequent to the commission of any violation as provided herein, the time during which he is absent from the State of Illinois shall not be included as a part of such 3 years of limitation.

Section XII. A. No license of a Master Plumber or Journeyman Plumber or certificate of registration of a Plumber's Apprentice shall be revoked or cancelled until after a full and impartial hearing as provided in this section.

1. No hearing for the purpose of revoking any license of a Master Plumber or license of a Journeyman Plumber or certificate of a Plumber's Apprentice shall be held unless there is first placed on file with the Department a verified complaint in writing reciting therein with reasonable particularity a statement of facts which if proved would be sufficient to constitute a violation of one or more of the specifications for revocation of license or certificate set forth in Section II of this Act.

2. Upon the filing of a verified complaint as provided herein the Department shall promptly set a date for a hearing of the charges of the complaint which shall be held either in the City of Chicago or the City of Springfield in this State. The Department shall promptly mail to the licensee or registrant charged in the complaint a true and correct copy of such complaint and notification of the time and place when and where a hearing of such charges shall be had. Such copy of the complaint and notification shall be served on the licensee or registrant at least 20 days prior to the date therein set for the hearing either by delivery of the same personally to the licensee or registrant or by mailing the same by registered mail to the last known place of address of such licensee or registrant.

3. At the time and place fixed in such notification the Board of Plumbing Examiners under supervision of the Department shall proceed to a hearing of the charges specified in the complaint. No hearing upon the charges of the complaint shall be had unless the rec-

ords of the Department contain evidence that the licensee or registrant charged in the complaint has been so served with a copy of the complaint and notification at least 20 days prior to the date of such hearing, provided that the appearance of the licensee or registrant so charged, either in his own behalf or by counsel, shall constitute proof that sufficient notice of the hearing was served.

4. A complaining party by himself or by counsel may aid in the presentation of evidence toward sustaining the complaint. Ample opportunity shall be accorded for hearing of all evidence and statement of counsel either in support of or against the charges of the complaint. Upon good cause shown the date of the hearing on the Complaint may be continued provided the licensee or registrant and other interested parties shall be reasonably notified about the date of the continuance.

B. The Department shall have power to subpoena and bring before it or the Board of Plumbing Examiners, to any hearing, any person in this State to give evidence and to take testimony, either orally or by deposition, or both, and to issue subpoena duces tecum for any books and records or other documents necessary or relevant at any hearing, with the same fees and mileage and in the same manner as prescribed by law in Judicial Procedure in civil cases in Courts of this State.

C. The Director, Assistant Director, Superintendent of Registration and any member of the State Board of Plumbing Examiners shall have power to administer oaths to witnesses at a hearing which the Department is authorized by law to conduct and any other oaths authorized or administered by the Department.

Section XIII. A. Any Circuit or Superior Court or any Judge thereof, either in term time

or vacation upon the application of the licensee or registrant or complainant or of the Department, may by order duly entered require the attendance of witnesses and the production of relevant books and papers before the Department or the Board in any hearing upon a complaint as provided in this Act and may compel obedience to its or his order by proceedings for contempt.

Section XIV. A. The Department at its expense shall provide a stenographer to take down the testimony and to preserve a record of all proceedings at the hearing upon any complaint. The complaint and other documents in the nature of pleadings and other motions filed in the proceedings, the transcript of testimony, report of the committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person upon payment therefor of 24c per 100 words for each original transcript and 6c per 100 words for each carbon copy thereof.

Section XV. A. The State Board of Plumbing Examiners upon completion of any hearing held on a verified complaint shall present to the Director of Registration and Education a written report of their findings and recommendations. The Director of the Department shall thereupon order that the license or certificate of the licensee or registrant charged in the complaint shall be revoked or that the complaint shall be dismissed in accordance with the recommendations of the Board. A copy of such order shall immediately be served upon the licensee or registrant either personally or by registered mail. The order of the Department shall be final unless the licensee or registrant so charged, or complainant, shall within 20 days after receipt of such order file with the Department his motion in

writing for a rehearing specifying therein the points and reasons therefor. The filing of a motion for rehearing shall stay the operation of the order pending a final decision on such motion. A motion for a rehearing shall be immediately referred by the Director to the Board for recommendations thereon. If the motion is allowed by the Director, the Board shall proceed as in the case of original hearing on a complaint. Not more than one rehearing on any complaint shall be granted. The decision of the Department shall be final upon questions of fact.

Section XVI. A. The Circuit or Superior Court of the County wherein the licensee or registrant so charged resides shall have power to review the entire proceedings of any hearing had before the Board or Department and to review any order dismissing a complaint or revocation of a license or certificate and all questions of law presented by such record provided a Writ of Certiorari issued out of such Court within 20 days next after receipt of notification of the determination of the petition for rehearing in the case as provided in Section 15 of this Act. In the event the licensee or registrant so charged has no definite place of residence in any County in this State as shown by the Records of the Department, the Circuit or Superior Court of Cook County or the Circuit Court of Sangamon County shall have power to review such transcript and proceedings and orders of the Department.

B. Such Writ of Certiorari shall be issued by the Clerk of the Court immediately upon the filing of a praecipe therefor. Such Writ of Certiorari shall be directed to the Director, Assistant Director or Superintendent of the Department of Registration and Education of the State of Illinois by registered mail. The

certificate of the Clerk that such Writ of Certiorari has been so mailed to the Department of Registration and Education will constitute evidence that proper service has been made. The Clerk of the Court shall also direct by registered mail, notification to the complainant in such proceedings and also notification by registered mail to the licensee or registrant charged in said proceedings, as such complainant and licensee or registrant is shown on the praecipe together with their last known address. The notification of the proceedings so issued by the Clerk of the Court shall advise the date the praecipe was filed, the title of the cause and the return day thereof. The Department upon receipt of the Writ of Certiorari shall immediately prepare a complete transcript of the record and proceedings in said cause certified as to correctness by the Director of the Department and transmit the same to the Clerk of the Court. Immediately upon receipt thereof the Clerk shall set the earliest date convenient for the Court for a hearing before the Court of such Writ of Certiorari and notify counsel of record respecting such date for hearing.

C. No praecipe for Writ of Certiorari shall be filed in any Court unless accompanied by a receipt of the Department of Registration and Education acknowledging payment of the record of proceedings to be transcribed in the cause.

D. The Circuit or Superior Court shall upon hearing review the record of proceedings had before the Department and Board of Plumbing Examiners and shall either confirm or reverse the order of the Department. The Court may in its discretion remand the cause to the Department for further proceedings.

E. No Department order of revocation or dismissal shall be set aside or vacated on any

ground not specified in the written motion for rehearing provided for in Section 15.

Section XVII. A. At any time after the final revocation of a license or certificate of registration, the Department may upon a written verified application of the licensee or registrant for restoration of such license or certificate of registration refer said application to the Board for hearing and recommendation. In the event the Board recommends that such license or certificate of registration shall be restored the Department shall so order and issue to the licensee or registrant his license or certificate in conformity therewith.

Section XVIII. A. The pendency of an appeal or writ of certiorari shall not of itself stay or suspend the operation of any order of revocation or dismissal of a complaint but during the pendency of such suit or appeal, the Circuit or Superior Court or the Supreme Court, as the case may be, in its discretion, may stay the operation of such order of the Department. No such stay shall be granted by the Court otherwise than upon 10 days' notice to the complainant, registrant and the Department and after a hearing before the Court or in justice thereof.

B. An order of revocation or dismissal of a complaint or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that;

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Board of Plumbing Examiners and the members thereof are qualified to act.

Section XIX. A. Appeals from all final orders and judgments entered by a circuit or superior

court in review of an order of the Department, as provided in Section 16 of this Act may be taken directly to the Supreme Court by either party to the cause or the Department provided that such appeal shall be governed and conform to the law and rules of courts applying to appeal under the Civil Practice Act of Illinois.

Section XX. A. The Judicial determination that any section, paragraph, provision or sentence of this Act is unconstitutional, shall not in any way affect the Constitutionality of any other sentence, provision, paragraph or section hereof.

Section XXI. A. Any person violating any provision of this Act shall be guilty of a misdemeanor and subject to a fine of not less than \$25.00 and not more than \$500.00 or by confinement in the county jail not more than 6 months, either or both in the discretion of the Court, for a first offense and for a second and subsequent violation of this Act shall be subject to a fine of not less than \$50.00 and confinement in the county jail for not more than 1 year as the Court may decide.

B. All fines and penalties shall inure to the Department. It shall be the duty of the State's Attorney of the County where an offense under the provisions of this Act is committed to prosecute all persons violating any of the provisions of this Act upon complaint being made.

Section XXII. This Act is hereby designated as The Illinois Plumbing License Law.

(Printed by the authority of the State of Illinois)



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THE ILLINOIS PLUMBING LICENSE LAW

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DEPARTMENT OF
REGISTRATION AND EDUCATION

SPRINGFIELD

—1951—

(Printed by Authority of the State of Illinois)

Sec.

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1951 An Act in relation to the regulation of Plumbing
and to repeal a certain Act therein named.
(Filed July 26, 1951.)

*Be it enacted by the People of the State of
Illinois, represented in the General Assembly:*

Section 1. It has been established by Science and experience that a constant supply of pure water and adequate system of sanitation is essential to the public health; that water-borne diseases and unscientific methods of sewage disposal have frequently caused widespread disease with disastrous consequences, and that competently installed and maintained methods of water supply and disposal of waste where people live, work or assemble, is essential to protect the public health.

Consistent with its duty to safeguard the health of the people of this State, the General Assembly therefore declares that individuals who plan, install, repair and maintain plumbing, for a supply of water and for sanitary purposes where people live, work, or assemble, should be individuals of proven skill. To insure such skill and thereby protect the public health, this Act shall provide for the examination and licensing of Plumbers by the State of Illinois.

Sec. 2. As used in this Act the following words have the following meanings:

(1) "Plumbing" as used in this Act means and includes:

(a) All piping, fixtures, appurtenances and appliances for a supply of water for all personal or domestic purposes in and about buildings where a person or persons live, work or assemble; (b) piping, fixtures, appurtenances and appliances for a sanitary drainage and related ventilation system within a building, and all piping, fixtures, appurtenances and appliances outside a building connecting the building with the source of water supply on the premises or the main in the street, alley or at the curb; (c)

all piping, fixtures, appurtenances, appliances, drain or waste pipes carrying domestic sewage from the foundation walls of a building to the sewer service lateral at the curb or in the street or alley or other disposal terminal holding private or domestic sewage; and (d) the installation, repair, maintenance and work upon and connection with such piping, fixtures, appliances, appurtenances, drain or waste pipes, except minor repairs by a person upon his own premises.

(2) "Plumbing" does not mean or include, and nothing in this Act shall be held or construed to have any application to piping, fixtures, appurtenances and appliances, or drain or waste pipes located on a farm or on premises used for agricultural purposes.

(3) "Department" means the Department of Registration and Education of the State of Illinois.

(4) "Board" means the Illinois State Board of Plumbing Examiners.

(5) "Director" means the Director of the Illinois Department of Registration and Education.

Sec. 3. No person, firm, partnership, association or corporation shall supervise or engage in the installation, repair or maintenance of plumbing in this State except as provided in this Act.

Sec. 4. (1) All planning and work for the installation, repair or maintenance of plumbing in this State except minor repairs on a person's home premises shall be performed by or under the supervision of one or more licensed Master Plumbers, provided that this provision shall not prevent any person who holds a certificate of registration provided for by "The Illinois Archi-

tectural Act", approved June 24, 1919, as amended or "The Illinois Structural Engineering Act", approved June 24, 1919, as amended, or the "Illinois Professional Engineering Act", approved July 20, 1945, as amended, from planning and designing plumbing installations.

(2) A licensed Master Plumber shall be a person who is the holder of a Master Plumber's license issued by the State of Illinois.

(3) Any work for the installation, repair or maintenance of plumbing in this State may be performed by a licensed Journeyman Plumber, provided that any plumbing work by a licensed Journeyman Plumber shall be done under the Supervision of a licensed Master Plumber.

(4) A licensed Journeyman Plumber shall be a person who is the holder of a Journeyman Plumber's license issued by the State of Illinois.

(5) Any person above 16 years of age may work as a Plumber's Apprentice in this State and work on plumbing in all its branches provided such Plumber's Apprentice shall only work at or in connection with plumbing under the supervision of either a licensed Journeyman or a licensed Master Plumber or both.

Sec. 5. No firm, association or partnership shall engage in the plumbing business in this State unless at least one active member or partner thereof continually engaged in the conduct, supervision or performance of the firm, association or partnership business is a licensed Master Plumber as provided in this Act. Every firm, association or partnership engaged in plumbing shall keep on display in its place of business the Illinois license certificate then in effect of the Master Plumber who is a member of such firm, association or partnership.

Sec. 6. Every corporation engaged in the plumbing business in this State or who represents itself as a plumbing contractor shall only plan, install, repair, maintain and do plumbing work under the supervision of one or more li-

censed Master Plumbers. Provided that no corporation shall engage in plumbing in this State unless at least one corporate official is a licensed Master Plumber. Every corporation engaged in the plumbing business in this State shall at all times have on display in its place of business the Illinois license certificate of one or more Master Plumbers who are actively engaged in the supervision of the plumbing work of such corporation.

Sec. 7. No city, town, village, county, park district, municipal corporation or other political subdivision of government in this State shall engage in the installation, maintenance or repair of plumbing unless such installation, maintenance, repair or work is performed by one or more licensed Master Plumbers or Journeyman Plumbers under the supervision of Master Plumbers and by Plumbers' Apprentices under supervision as provided in this Act, provided nothing in this Section shall be construed to prevent any political subdivision of government from contracting for plumbing with an individual, firm, partnership, association or corporation authorized to do plumbing in this State.

Sec. 8. (1) Any city, village or incorporated town having a population of 500,000 or more, may, by an ordinance, containing provisions substantially the same as those in this Act provide for a board of plumbing examiners to conduct examinations for Journeyman Plumbers and Master Plumbers, and to issue, suspend, and revoke plumbers' licenses within such city, village or incorporated town. The provisions of this Act except as otherwise herein provided, shall not apply within any such city, village or incorporated town which enacts such an ordinance.

(2) Any person authorized under the provisions of any such ordinance to engage as a Master Plumber or Journeyman Plumber in any

such city, village or incorporated town, may work as a master Plumber or Journeyman Plumber anywhere in this State.

(3) A person holding a license as a Master or Journeyman Plumber in effect from the Department as provided in this Act may work as a Master Plumber or Journeyman Plumber as the case may be, any place in this State including any city, village or incorporated town, irrespective whether such city, village or incorporated town has a plumbers license ordinance as provided in this Section.

Sec. 9. (1) There is hereby created an Illinois State Board of Plumbing Examiners which shall exercise its duties provided in this Act under the supervision of the Department. The three members of the Board shall be designated from time to time by the Director. The Board shall be composed of one licensed Master Plumber, one licensed Journeyman Plumber, and a third member designated by the Director. In making the appointment of licensed Master Plumber to the Board, the Director shall give due consideration to the recommendations of recognized associations of Illinois Master Plumbers. In making the appointment of licensed Journeyman Plumber to the Board, the Director shall give due consideration to the recommendations of recognized associations of Journeyman Plumbers. In making the appointment of the third member to the Board, the Director shall give due consideration to the recommendation of the Illinois Retail Hardware Association.

(2) The Board shall aid the Director and the Department by:

(a) Preparing subject matter for examinations as provided in this Act.

(b) Suggesting rules to govern examinations and hearings for suspension, revocation or reinstatement of licenses.

(c) Holding hearings for the suspension, revocation or reinstatement of licenses as provided in this Act.

(d) Submitting recommendations to the Director from time to time for the efficient administration of this Act.

(e) Grading all tests and examinations for licenses and promptly reporting the results to the Director.

(f) Performing such other duties from time to time prescribed by the Director.

(3) The members of the Board shall be paid at the rate of \$10.00 per day for actual time devoted to their duties and shall be reimbursed for necessary traveling expenses.

Sec. 10. (1) The Director of the Department of Registration and Education of the State of Illinois shall:

(a) Prepare forms for application for examinations.

(b) Prepare license certificates and issue them as provided in this Act.

(c) With the aid of the Board prescribe rules and regulations for the conduct of examinations for licenses.

(d) With the aid of the Board prepare and give uniform examinations to applicants for licenses as Master Plumbers which will test their qualifications in the planning and supervision of plumbing and the physical and mechanical installation, replacement, repair and maintenance of plumbing.

(e) With the aid of the Board prepare and give uniform examinations to applicants for licenses as Journeyman Plumbers, which will test their qualifications in the physical and mechanical installation, replacement, repair and maintenance of plumbing.

(f) Issue a license certificate of Master Plumber to every applicant who has successfully passed the examination for Master Plumber upon payment of the required certificate fee. Every certificate shall set forth the business address of the licensee.

(g) Issue a license certificate for Journeyman Plumber to every applicant who has suc-

cessfully passed the examination for Journeyman Plumber upon payment of the required certificate fee.

(h) Prescribe rules for hearings to suspend, revoke or reinstate licenses as provided in this Act.

(i) Maintain an up-to-date record listing names and addresses of licensed Master and Journeyman Plumbers of this State, which record shall show dates of issuance of all licenses and shall be open to public inspection. Such record shall show the date and the substance of the charges set forth in any complaint for suspension or revocation of any license issued hereunder and the date and substance of the final order issued upon each complaint. And the record shall show the date and substance of all petitions for reinstatement of licenses and final orders on such petition. The record shall also contain a list of the names and addresses of all persons, firms, partnerships or corporations who have been issued temporary permits or licenses under Section 19 of this Act.

(j) Prescribe standards for a recognized college or university or trade school and determine whether a college or university or trade school meets such standards. Provided no college or university or trade school shall be approved as a recognized college, university or trade school if it limits its student enrollment for courses of instruction to any one or more races, creeds or nationalities.

Sec. 11. The Department shall hold examinations to license Master Plumbers and Journeyman Plumbers at least once every three months in the City of Springfield, Illinois, or some other convenient place in this State designated by the Department.

Sec. 12. (1) An applicant for an Illinois State License for Master Plumber shall file his written application in the office of the Department on the respective form provided by the

Department at least 15 days before the date set for the examination.

(2) The Director shall promptly approve the application for examination if it is accompanied by the required examination fee and also evidence that the applicant for a Master Plumber's license is a Citizen of the United States or has declared his intention to become a citizen; and that;

(a) The applicant has been the holder of a Journeyman Plumber's license in Illinois for at least one year next preceding the date of the application; or

(b) The applicant has worked at plumbing as a Journeyman Plumber or Master Plumber or been engaged in plumbing installation work in the United States other than in the State of Illinois for at least 5 years next preceding the date of his application. An applicant who has worked at or been engaged in plumbing at any place while in the military service of the United States shall be credited with the time he has devoted to such plumbing work while in the military service in computing the 5 year period under this sub-section; or

(c) The applicant has successfully completed all of the courses leading to a degree or diploma in architectural or mechanical or sanitary or plumbing engineering awarded by an approved college or university and in addition thereto has had at least one year of practical experience in plumbing; or

(d) The applicant has been engaged in the plumbing business in Illinois for at least two years or who has been a Plumber's apprentice for at least 6 years or a Journeyman Plumber for at least one year, next preceding January, 1951 and has filed his application to take the Master Plumber's examination within one year after the effective date of this Act.

(3) If the application is approved the Department shall promptly notify the applicant in writing of such approval and of the place

and time of the examination. In the event the application is disapproved the Department shall promptly notify the applicant in writing of such fact and explain the cause for the disapproval and also refund the examination fee paid by the applicant.

Sec. 13. (1) An applicant for Illinois State License for Journeyman Plumber shall file his written application in the office of the Department on the respective form provided by the Department at least 15 days before the date set for the examination.

(2) The Director shall promptly approve the application for examination for Journeyman Plumber's license if it is accompanied by the required examination fee and evidence that the applicant for Journeyman Plumber's license is a Citizen of the United States or has declared his intention to become a Citizen; and

(a) Has worked as a Plumber's Apprentice for at least 5 years preceding the date of his application (the applicant's own affidavit stating the time and place of such work shall be considered sufficient evidence for this subparagraph); or

(b) The applicant has been engaged in the plumbing business either as a Journeyman Plumber or Master Plumber or both in the United States other than in the State of Illinois for at least two years next preceding the date of his application; or

(c) The applicant has worked at plumbing for a period of 3 years preceding the date of his application while in the military service of the United States; provided, if applicant has worked at plumbing for less than three years while in the Military Service, all of the time he has worked at plumbing while in the military service may be credited under any other subsection of this Section.

(d) The applicant demonstrates that he has attended any college or university or approved trade school where he has studied plumbing

for a period of two years and successfully completed courses dealing with plumbing installation, and in addition thereto has had one year of practical experience in plumbing installation.

(3) If the application is approved the Department shall promptly notify the applicant of such approval and of the place and time of the examination. In the event the application is disapproved the Department shall notify the applicant in writing of such fact and explain the cause for the disapproval, and refund the examination fee paid by applicant.

Sec. 14. The Department shall issue certificates of Master Plumber's license or Journeyman Plumber's license as soon after each examination as practicable. Each applicant who has successfully passed the examination shall upon payment to the Department of the required certificate fee, have issued and mailed to him by the Department at this address on the application a certificate, specifying such person as a Master Plumber or Journeyman Plumber, as the case may be. All applicants who have failed to pass the examination shall also be notified by mail directed to the applicant's address shown on his application.

Sec. 15. Any person who was on November 26, 1950, the holder of either an unexpired Master Plumber's license or an unexpired Journeyman Plumber's license issued pursuant to the provisions of the Act repealed by Section 33 of this Act, or who has held either license on the effective date of this Act pursuant to an ordinance of any city, village or incorporated town of 500,000 population or more, shall have issued to him by the Department without examination either a Master's or Journeyman Plumber's license, whichever he formerly held, if applied for not later than one year after the effective date of this Act, upon payment of the appropriate fee.

Sec. 16. No applicant who has failed in his first examination for either a Master or a Journeyman Plumber's license shall be permitted to take a second examination until after the expiration of six months following the date of the first examination of which such applicant failed; nor to take a third examination until after the expiration of six months following the date of the second examination; nor to take any subsequent examination until after the expiration of one year following his last previous examination; provided such applicant, in order to take a successive examination, shall pay the required examination fee, and shall have engaged in the study of plumbing at an approved college, university or trade school or shall have been engaged in plumbing work since the last examination.

Sec. 17. (1) All certificates of license of Master and Journeyman Plumbers shall expire on May 1st next following date of issuance. Every license of either a Master or Journeyman Plumber may be renewed for a period of one year from each succeeding May 1st, upon payment during the month of April of the required annual fee. Certificates of license that expire for failure of the holder to pay a renewal fee shall be reinstated by the Department without examination, if within 5 years following the date of expiration the holder shall pay to the Department \$10.00 in addition to the annual renewal fee for Master Plumbers and \$1.00 in addition to the annual renewal fee for Journeyman Plumbers; provided, that no person, firm, association, partnership or corporation shall be permitted to do any plumbing work in the State of Illinois if his or its license has expired under this Section. All certificates of either Master or Journeyman Plumbers that expire for failure to pay such renewal fee and not reinstated within 5 years shall stand revoked and no certificates shall be issued except as provided for original applicants.

(2) Any Master or Journeyman Plumber whose certificate of license has expired while he was in the Military Service of the United States may have his certificate of license renewed without paying any lapsed renewal fees or without examination, if within two years after termination of his service, he furnishes the Department satisfactory evidence that he was in the Military Service.

(3) Any person who holds or who has within five (5) years held a Master Plumber's certificate may, upon paying the prescribed fees, and surrendering said license, upon due application have issued to him without examination, a Journeyman Plumber's certificate which may thereafter be annually renewed as are other Journeyman Plumber's licenses. Any such person may work as a Journeyman Plumber without supervision.

(4) Any person who has at any time held a Master Plumber's certificate which was voluntarily surrendered by such person pursuant to the provisions of sub-section three (3) hereof for a Journeyman Plumber's certificate may, at any time, upon paying the prescribed fees therefor, have issued to him without examination a Master Plumber's certificate which may thereafter be annually renewed as are other Master Plumber's certificates.

Sec. 18. All certificates of license shall be issued by the Department in the name of the Department with the seal thereof attached.

Sec. 19. Any person who shall present evidence satisfactory to the Director that such person has been the holder for a period of at least two years next preceding the date of his application, of a Master Plumber's license or a Journeyman Plumber's license or the equivalent thereof, issued by some other State of the United States, may apply for, and in the discretion of the Director receive, a corresponding license under this Act without examination.

Any person who has been engaged as a Master Plumber or Journeyman Plumber in any State of the United States which has no law for examination of plumbers or licensing thereof, and who presents satisfactory evidence to the Director that he has worked as a Master Plumber in such other State for a period of at least five (5) years may in the discretion of the Director be granted a temporary permit to work as a Master Plumber in the State of Illinois until the next examination for license in this State; and any such person who presents satisfactory evidence to the Director that he has worked as a Journeyman Plumber in such other State for a period of at least two years may in the discretion of the Director, be issued a temporary permit to work as a Journeyman Plumber in the State of Illinois until the next examination for license in this State, and each such holder of a temporary permit shall, upon payment of the examination fee, be permitted to take the next examination for Master Plumber or Journeyman Plumber, as the case may be, without further evidence of his qualifications. If such holder of the temporary permit fails to take such examination or fails to pass, his temporary permit shall be revoked; but if such holder of a temporary permit passes the Illinois examination, an Illinois license for Journeyman Plumber or Master Plumber, as the case may be, shall upon the payment of the certificate fee, be issued to him by the Director and supplant his temporary permit.

Sec. 20. (1) It is hereby declared to be the policy of this State that each city, town or village with a system of water supply or sewage or both should so soon after the enactment of this Act as practicable, with the advice of the State Department of Health, provide by ordinance, by-laws or rules and regulations for the materials, construction, alteration, and inspection of all plumbing placed in or in connection with any building in any such city, town or

village and to provide for and appoint a competent Plumbing Inspector or more as required. Nothing contained in this Act shall prohibit any city, village or incorporated town from providing for a plumbing inspector or from requiring permits for the installation and repair of plumbing and collecting a fee therefor.

(2) The Department of Public Health shall conduct inquiry in any city, town or village or at any other place in the State when reasonably necessary in the judgment of the Director of the Department of Health to safeguard the health of any person or persons in this State on account of piping or appurtenant appliances within any building or outside, when such piping and appliances are for the use of plumbing as defined in this Act and for the use of carrying sewage or waste within or from any building.

(3) The Department of Public Health may conduct such inquiries in any city, town or village in this State by directing the Plumbing Inspector thereof to aid in or conduct such inquiry or investigation in behalf of the Department of Public Health, or the Department of Public Health may designate some other person or persons to conduct such investigation.

Sec. 21. (1) No license of a Master Plumber or Journeyman Plumber shall be suspended or revoked until after an impartial hearing before the Board.

(2) No hearing for suspension or revocation of any license of a Master or a Journeyman Plumber, shall be held until a written complaint is filed with the Department stating facts which if proved would constitute grounds for suspension or revocation of license as provided in this Act.

(3) When a written complaint is filed, the Department shall set a date for a hearing thereon which shall be held either in the City of Chicago or the City of Springfield. The Depart-

ment shall promptly send to the licensee charged in the complaint, by personal delivery or registered mail a correct copy of the complaint and notice when and where a hearing will be held. The licensee shall be given at least 20 days notice of the complaint and date and place of hearing.

(4) At the time and place specified in the notice the Board shall conduct a hearing on the complaint. A Complaining party by himself or through counsel may aid in the presentation of evidence toward proving the charges alleged in the complaint. The accused may appear and defend, and may be represented by counsel. Full opportunity shall be afforded for hearing all evidence either in support of or against the charges. After completion of the hearing the Board shall submit its written report of findings to the Director. The Director shall in his discretion thereupon order the license of the respondent party suspended or revoked or dismissal of the complaint. If the Director believes for good cause that the complaint should again be referred to the Board for further hearing he may order a rehearing of the charges before the Board. A copy of the Director's order dismissing the complaint or suspending or revoking any license shall be promptly sent to respondent licensee and other parties of record either by personal delivery or registered mail. Such order of the Director shall be final unless the licensee or any other party to the record shall within 20 days after receipt of the Director's order file a written motion with the Department for rehearing, specifying the reasons therefor. The filing of a motion for rehearing shall stay the order pending a final decision. The Director shall promptly either deny or allow the motion for rehearing. If allowed there shall be an additional hearing before the Board after a notice of 20 days by registered mail or by personal delivery to the licensee and all parties of record. Not more

than one rehearing on any complaint shall be granted. The decision of the Director shall be final on issues of fact and final in all respects unless an appeal for judicial review is perfected as provided in this Act.

Sec. 22. (1) The Director shall revoke or suspend the license of any Master or Journeyman Plumber after hearing before the Board when the evidence shows one or more of the following:

(a) That a licensee obtained or conspired with others to obtain a license of a Master or Journeyman Plumber by inducing the issuance of such license in consideration of the payment of money or delivery of any other thing of value or by and through a wilful misrepresentation of facts to the Director or the Board.

(b) That a licensee wilfully violated any plumbing ordinance or by-law of any city, town, village or any law of this State regulating plumbing.

(c) That a Master or Journeyman Plumber wilfully loaned his certificate of license or in any manner transferred such license to another person to permit such person to illegally engage in plumbing work contrary to this Act.

(d) That a licensee has been convicted of a felony.

(e) That a licensee has wilfully violated any provision of this Act.

(2) No proceeding to suspend or revoke a license shall be held unless filed with the Department within 3 years next after the last date of violation. If a licensee is outside the State of Illinois subsequent to any violation by him as specified in this Section, the time or duration of his absence from Illinois shall not be included as a part of such 3 years of limitation.

(3) The Director may suspend any Master or Journeyman's license under this Section for not less than 30 days or more than one year but if the Director finds that the evidence so

justifies, he may revoke the license in question. In cases where a license is suspended, the certificate shall be surrendered to the Department and the same shall become automatically reinstated, and the certificate shall be returned to the licensee, at the end of the period of suspension.

Sec. 23. (1) The Director may in his discretion reinstate either a Master or Journeyman's license not less than 60 days and not more than 5 years after such license has been revoked. Such reinstatement by the Director may only be ordered after a hearing before the Board on the petition of the person whose Master's or Journeyman's license was revoked. Whenever petition for reinstatement is filed with the Department the Director will set a hearing and either by personal delivery or registered mail serve a copy of the petition and notice of when and where the hearing will be held on all parties of record when the license in question was revoked. Such notice shall be served at least 20 days before the date set for the hearing. The Board shall hear all material evidence in support of or against the petition and thereafter submit its report of finding to the Director who shall promptly allow or deny petition for reinstatement of the license. The order of the Director shall be served on the petitioner and all parties of record either by personal service or registered mail, sent to their addresses of record. If the petition for reinstatement is denied the petitioner may file his petition for rehearing within 20 days after receipt of the Director's order. Whereupon, the Director will then promptly order either a denial or allowance of the petition for rehearing. If such petition for rehearing is granted the entire record shall be referred to the Board and a hearing held not less than 20 days after notice of the time and place of the rehearing to all parties of record. At the conclusion of such rehearing the Board shall report findings

to the Director who may either grant or deny the petition for reinstatement.

No more than one rehearing on the same petition for reinstatement shall be allowed; and not more than one petition for reinstatement of the same license shall be considered or heard within one year. If the petition for reinstatement is granted by the Director, the Department shall promptly issue either a Master or Journeyman's license to the petitioner upon payment of the required renewal license fee.

Sec. 24. The Director and each member of the Board shall have power to subpoena to any hearing authorized by this Act any person in this State to give testimony and evidence either orally or by deposition or both. The Director and each member of the Board may also issue subpoena duces tecum for production of any books and records and other documents for evidence at any authorized hearing under this Act. Witnesses subpoenaed as provided herein shall be paid the same witness fees and mileage as provided for witnesses who are subpoenaed to give testimony in any civil case in a court of record of this State. The Director and any member of the Board is hereby empowered to administer oaths or affirmations to witnesses at any hearing authorized by this Act.

Sec. 25. Any Circuit or Superior Court or Judge thereof either in term time or vacation upon the application of the Director or any party of record to a hearing authorized by this Act may order the attendance of any witness and the production of any books, papers or documents in this State at any hearing authorized by this Act for the purpose of giving testimony or evidence. Any Court or Judge thereof as provided in this Section may compel obedience to such order for appearance or production of records by proceedings for contempt.

Sec. 26. The Department at its expense shall provide a stenographer, take testimony and preserve a record of all proceedings at the hearing upon any complaint or petition for reinstatement. The complaint or petition and other documents in the nature of pleadings and motions filed in the case, the transcript of testimony, findings of the Board, and orders of the Director shall constitute the record. The Director shall furnish a transcript of such record to any person upon payment therefor of 75c per page for each original transcript and 25c per page for each carbon copy thereof.

Sec. 27. An order of suspension, revocation, or reinstatement of a license, or of dismissal of a complaint or petition, or a certified copy of such order, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that:

(a) Such signature is the genuine signature of the Director.

(b) That such Director is duly appointed and qualified.

(c) That the Board and the members thereof are qualified to act.

Sec. 28. All final administrative decisions of the Director hereunder shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act" approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto. The term "administrative decisions" is defined in Section 1 of the "Administrative Review Act".

Sec. 29. The Department shall not be required to certify any record to the Court or file any answer in Court or otherwise appear in any Court, unless there is filed in Court with the complaint a receipt from the Department acknowledging payment of the costs for furnishing and certifying the record as provided in

Section 26 hereof. Failure on the part of the plaintiff to file such a receipt in Court shall be grounds for dismissal of the action.

Sec. 30. (1) Appeals from all final orders and judgments entered by a Circuit or Superior Court on review of an order of the Director as provided in Section 28 of this Act may be taken directly to the Supreme Court, provided that petition for leave to appeal is filed within 60 days after said order of the Circuit or Superior Court.

Sec. 31. (1) Any person violating any provision of this Act shall be fined not less than \$25.00 and not more than \$500.00, or be imprisoned in the County jail for not more than 6 months, or both, for a first offense; and for a second or subsequent violation of this Act shall be fined not less than \$50.00 nor more than \$500.00, or imprisoned in the County jail for not more than one year, or both.

(2) It is hereby declared to be a public nuisance for any person, firm, association or corporation to perform any acts for which a license is required by this Act without having in effect such a license. The Director or the State's Attorney of the County in which such nuisance has occurred may file a complaint in equity in the name of the people of the State of Illinois perpetually to enjoin such person, firm, association or corporation from performing such unlawful acts. Upon the filing of a verified petition in said cause, the Court, if satisfied that such unlawful acts have been performed and may continue to be performed, shall allow a temporary injunction without notice or bond enjoining the defendant from performing such unlawful acts.

(3) If it is established that said defendant contrary to this Act has been or is engaging in or about to engage in the plumbing business or trade without having been issued a license or has been or is or about to engage in the

plumbing business or trade after his license has been suspended or revoked or after his license has not been renewed, the Court, or any Judge thereof, may enter a decree perpetually enjoining said defendant from further engaging in the plumbing business or trade contrary to this Act. In case of violation of any injunction issued under this Section, the Court, or any judge thereof, may summarily try and punish the offender for contempt of Court. Such injunction proceedings shall be in addition to, and not in lieu of, all penalties and other remedies in this Act provided.

Sec. 32. (1) The fee to be paid by an applicant for an examination to determine his fitness to receive a license as Master Plumber shall be \$25.00.

(2) The fee to be paid by an applicant for an examination to determine his fitness to receive a license as Journeyman Plumber shall be \$15.00.

(3) The fee to be paid by the successful applicant for his certificate either as a Master or Journeyman Plumber shall be \$5.00.

(4) The fee to be paid for the annual renewal of a Master Plumber's license shall be \$15.00.

(5) The fee to be paid for the annual renewal of a Journeyman Plumber's license shall be \$3.00.

(6) The fee to be paid for reinstatement of a Master Plumber's license as provided in Section 17 of this Act shall be \$10.00.

(7) The fee to be paid for reinstatement of a Journeyman Plumber's license as provided in Section 17 of this Act shall be \$1.00.

Sec. 33. "An Act in relation to the regulation of plumbing and licensing of Master Plumbers, Journeyman Plumbers and registration of Plumber's Apprentices and for the protection of Public Health and repeal of a certain Act

therein named," filed June 17, 1935, as amended is repealed.

Sec. 34. The judicial determination that any section, paragraph provision or part of this Act is unconstitutional, shall not in any way effect the constitutionality of any other provision, paragraph, section or part hereof.

Sec. 35. State's Attorneys shall prosecute all persons violating any of the provisions of this Act.

Sec. 36. This Act may be known and shall be cited as the Illinois Plumbing License Law.

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An Act in relation to the licensing and regulation of plumbers, to repeal a certain Act therein named, and to prescribe penalties for the violation thereof. Approved July 13, 1953.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. It has been established by scientific evidence that improper plumbing can adversely affect the public health. One of the functions of plumbing is to carry away sewage and human excreta and wastes which may be dangerous to health because of the presence of disease organisms or noxious and asphyxiating gases. Disease organisms may be introduced into the pure water supply through back-siphonage or cross-connections or through the escape of vermin from building drainage systems. Sewer gases may escape because of faulty installation of traps or inadequate venting of the waste disposal system. Faulty plumbing has frequently caused widespread disease and epidemics with disastrous consequences.

Consistent with its duty to safeguard the health of the people of this State, the General Assembly therefore declares that individuals who plan, install, alter, extend, repair and maintain plumbing systems should be individuals of proved skill. To insure such skill and thereby protect the public health, this Act is declared to be essential to the public interest.

Sec. 2. When used in this Act:

(1) "Board" means the Illinois State Board of Plumbing Examiners.

(2) "Department" means the Department of Registration and Education of the State of Illinois.

(3) "Director" means the Director of the Illinois Department of Registration and Education.

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(4) "Person" means any natural person, firm, corporation, partnership or association.

(5) "Plumbing" means the installation, repair, maintenance, alterations or extension of a plumbing system in any building which is connected to a public water supply or public sewage system and includes:

(a) All piping, fixtures, appurtenances and appliances for a supply of water for all personal or domestic purposes in and about buildings where a person or persons live, work or assemble;

(b) Piping, fixtures, appurtenances and appliances for a sanitary drainage and related ventilation system within a building, and all piping, fixtures, appurtenances, appliances outside a building connecting the building with the source of water supply on the premises or the main in the street, alley or at the curb;

(c) All piping, fixtures, appurtenances, appliances, drain or waste pipes carrying domestic sewage from the foundation walls of a building to the sewer service lateral at the curb or in the street or alley, or other disposal terminal holding private or domestic sewage;

(d) The Planning, design, installation, repair, maintenance, alteration, extension and work upon and connection with such piping, fixtures, appliances, appurtenances, drain or waste pipes.

Plumbing does not mean or include, and nothing in this Act shall be held or construed to have any application to, the trade of drain-laying, the trade of drilling water wells, which constitute the sources of private water supplies, and of making connections between such wells and pumping units or pressure tanks in the water supply systems of buildings served by such private water supplies, or the trade or business of installing water softening equipment and apparatus and of maintaining and

servicing the same, or the business of manufacturing or selling plumbing fixtures, appliances, equipment or hardware; nor does it mean or include minor repairs which do not require changes in the piping to or from plumbing fixtures or involve the removal, replacement, installation or re-installation of any pipe or plumbing fixtures.

Sec. 3. (1) All planning and designing of plumbing systems and all plumbing shall be performed only by plumbers licensed pursuant to the provisions of this Act hereinafter called "licensed plumbers", provided that no person who holds a certificate of registration provided for by "The Illinois Architectural Act", approved June 24, 1919, as amended, or "The Illinois Structural Engineering Act", approved June 24, 1919, as amended, or the "Illinois Professional Engineering Act", approved July 20, 1945, as amended, shall be prevented from planning and designing plumbing systems.

(2) Nothing herein contained shall prohibit a licensed plumber from employing any person at least 16 years of age to engage in plumbing as a plumber's apprentice under the supervision of a licensed plumber. No person shall engage in plumbing as a plumber's apprentice unless he has registered with the Department as a plumber's apprentice upon forms prescribed by the Director. No licensed plumber shall employ any person as a plumber's apprentice who is not so registered.

(3) Nothing herein contained shall prohibit the owner or lessee occupant of a single family residence from himself planning, installing, altering or repairing the plumbing system of such residence; provided, that such plumbing shall comply with all plumbing laws, rules and regulations applicable thereto and shall be subject to such inspection as may therein be provided; and provided further that any such owner or

lessee occupant may not employ any other person than a licensed plumber to assist him in such work.

Sec. 4. The employees of a firm, association, partnership or corporation who engage in plumbing shall be licensed plumbers or apprentices. At least one member of every firm, association or partnership engaged in plumbing work, and at least one corporate officer of every corporation engaged in plumbing work, as the case may be, shall be licensed as a plumber hereunder.

Sec. 5. Every such firm, association, partnership or corporation shall keep on display in its place of business the license of at least one of its members, partners, or officers thereof.

Sec. 6. No municipal corporation or political subdivision shall engage in plumbing unless such plumbing is performed by one or more licensed plumbers, or apprentice plumbers under the supervision of licensed plumbers, provided that any such governmental unit may contract for plumbing with any person authorized to engage in plumbing in this State.

Sec. 7. (1) There is created an Illinois State Board of Plumbing Examiners which shall exercise its duties provided in this Act under the supervision of the Department. The Board shall consist of five licensed plumbers designated from time to time by the Director. In making the appointments to the Board the Director shall consider the recommendations of associations of master or contracting plumbers, associations or unions of journeyman plumbers, and associations of retail plumbers.

(2) The Board shall aid the Director and the Department by:

(a) Preparing subject matter for examinations as provided in this Act.

(b) Suggesting rules to govern examinations and hearings for suspension, revocation or reinstatement of licenses.

(c) Holding hearings for the suspension, revocation or reinstatement of licenses as provided in this Act.

(d) Submitting recommendations to the Director from time to time for the efficient administration of this Act.

(e) Grading all tests and examinations for licenses and promptly reporting the results to the Director.

(f) Performing such other duties from time to time prescribed by the Director.

3. The members of the Board shall be paid at the rate of \$10.00 per day for actual time devoted to their duties and shall be reimbursed for necessary traveling expenses.

Sec. 8. The Director shall:

(1) Prepare forms for application for examination for a plumber's license.

(2) Prepare and issue license certificates as provided in this Act.

(3) With the aid of the Board prescribe rules and regulations for the conduct of examinations for licenses.

(4) With the aid of the Board prepare and give uniform and comprehensive examinations to applicants for plumbers' licenses which will test their knowledge and qualifications in the planning and design of plumbing systems, their knowledge, qualifications, and manual skills in plumbing, and their knowledge of any minimum code of standards relating to fixtures, materials, design and installation methods of plumbing systems, which may be adopted pursuant to "An Act in relation to the establishment by the Department of Public Health of a minimum code of standards for the fixtures, materials,

design and installation methods of plumbing systems, and providing for the adoption and enforcement thereof by certain governmental units as defined herein," enacted by the 68th General Assembly.

(5) Issue a plumber's license certificate to every applicant who has passed the examination and who has paid the required license fee.

(6) Prescribe rules for hearings to suspend, revoke or reinstate licenses as provided in this Act.

(7) Maintain a current record showing (a) the names and addresses of licensed plumbers in this state, (b) the dates of issuance of licenses, (c) the date and substance of the charges set forth in any complaint for suspension or revocation of any license, (d) the date and substance of the final order issued upon each such complaint, and (e) the date and substance of all petitions for reinstatement of license and final orders on such petitions. The Director shall provide each Board of Plumbing Examiners created pursuant to Section 16 of this Act with a copy of such current record, and shall advise of changes thereto at least every six months.

(8) Prescribe uniform and reasonable rules defining what constitutes an approved course of instruction in plumbing, sanitary engineering, or plumbing engineering in colleges, universities, or trade schools, and approve or disapprove the courses of instruction offered by such colleges, universities, or trade schools by reference to their compliance or non-compliance with such rules. Such rules shall be designed to assure that an approved course of instruction will adequately teach the design, planning, installation, replacement, extension, alteration and repair of plumbing. In prescribing such rules the Director may consult with the Chief Sanitary Engineer of the Department

of Public Health, the Senior Professor of Sanitary Engineering of the University of Illinois, and with the Board.

Sec. 9. The Department shall hold examinations for applicants for plumbers' licenses at least once every three months in the City of Springfield, Illinois, or some other convenient place in this State.

Sec. 10. (1) An applicant for a plumber's license shall file his written application in the office of the Department on the form designated by the Department at least 15 days before the date set for the examination.

(2) The Director shall promptly approve the application for examination if:

(a) the required examination fee has been paid, and

(b) the applicant has submitted evidence that he is a citizen of the United States or has declared his intention to become a citizen, and

(c) the applicant has been engaged in plumbing as a plumber's apprentice for at least five years preceding the date of his application, including such work as may have been performed prior to the effective date of this Act, (the applicant's own affidavit stating the time and place of such work shall be considered sufficient evidence for this subparagraph), or,

(d) the applicant has submitted evidence that he has successfully completed an approved course of instruction in plumbing, sanitary engineering, or plumbing engineering in a trade school, college or university.

(3) If the application is approved, the Department shall promptly notify the applicant in writing of such approval and of the place and time of the examination. If the application is disapproved the Department shall promptly notify the applicant in writing of such disap-

proval, stating the reasons for disapproval, and refund the examination fee if paid by the applicant.

Sec. 11. The Director shall issue plumber's license certificates to those applicants who pass the examination upon payment to the Department of the required license fee. Such license certificates shall be issued in the name of the Department with the seal thereof attached.

Sec. 12. Any person who on the effective date of this Act holds either an unexpired Master Plumber's License or an unexpired Journeyman Plumber's license issued by the Department or by a city, village or incorporated town pursuant to the provisions of the Act herein repealed shall, upon application within one year after the effective date of this Act and payment of the required license fee, be issued a plumber's license certificate hereunder without examination.

Any person who, on the effective date of this Act, has been engaged in the occupation, trade or business of a master or journeyman plumber, within the State of Illinois, for a period of five consecutive years or more, shall, upon application within one year after the effective date of this Act and payment of the required license fee, be issued a plumber's license certificate hereunder, without examination, provided, however, that the Director may require such applicant to submit satisfactory proof that he has so engaged for such period.

Sec. 13. An applicant who fails to pass the examination for a plumber's license shall not be permitted to take another examination until after the expiration of six months following the date of such examination.

Sec. 14. All plumbers' licenses shall expire on May 1st next following date of issuance. Licenses may be renewed for a period of one

year from each succeeding May 1st, upon payment during the month of April of the required annual license fee. A license which has expired for failure to pay the annual fee shall be reinstated by the Department, without examination, upon payment of a lapsed renewal fee in addition to the annual license fee within five years following the date of expiration.

Sec. 15. The Department shall reinstate a license which expires while a licensee is in the active Military Service of the United States upon application by the former licensee within two years after termination of such military service, payment of the annual license fee and submission of evidence of such military service. Such license shall be reinstated without examination and without payment of the lapsed renewal fee.

Sec. 16. (1) Any city, village or incorporated town, having a population of 500,000 or more may, by an ordinance containing provisions substantially the same as those in this Act and specifying educational or experience requirements equivalent to those prescribed in this Act provide for a board of plumbing examiners to conduct examinations for, and to issue, suspend, or revoke, plumbers' licenses, within such city, village or incorporated town. Upon the enactment of such ordinance the provisions of this Act shall not apply within any such municipality except as otherwise provided herein.

(2) Any person licensed as a plumber pursuant to such ordinance, or licensed by the Department under this Act, may engage in plumbing anywhere in this State.

(3) Any board of plumbing examiners created pursuant to this Section shall maintain a current record similar to that required by the Director by Section 8 of this Act, and shall provide the Department with a copy thereof.

The Department shall be advised of changes in such record at least every six months.

Sec. 17. Any person who has been licensed by another state as a master plumber, journeyman plumber, or the equivalent thereof, may apply for a plumber's license under this Act. The Director shall issue such license, without examination, upon payment of the fee for the license certificate and the annual license fee provided herein if the educational or experience requirements for the issuance of the license by such other state are at least the equivalent of the requirements of this Act.

Sec. 18. (1) It is hereby declared to be the policy of this State that each city, town or village with a system of water supply or sewage or both should so soon after the enactment of this Act as practicable, with the advice of the State Department of Health, provide by ordinance, by-laws or rules and regulations for the materials, construction, alteration, and inspection of all plumbing placed in or in connection with any building in any such city, town or village and to provide for and appoint a competent Plumbing Inspector or more as required. Nothing contained in this Act shall prohibit any city, village or incorporated town from providing for a plumbing inspector or from requiring permits for the installation and repair of plumbing and collecting a fee therefor.

(2) The Department of Public Health shall conduct inquiry in any city, town or village or at any other place in the State when reasonably necessary in the judgment of the Director of the Department of Health to safeguard the health of any person or persons in this State, on account of piping or appurtenant appliances within any building, or outside, when such piping and appliances are for the use of plumbing as defined in this Act and for the use of carrying sewage or waste within or from any building.

The Department of Public Health may conduct such inquiries in any city, town or village in this State by directing the Plumbing Inspector thereof to aid in or conduct such inquiry or investigation in behalf of the Department of Public Health, or the Department of Public Health may designate some other person or persons to conduct such investigation.

This section shall be subject to the provisions of "An Act in relation to the establishment by the Department of Public Health of a minimum code of standards for the fixtures, materials, design and installation methods of plumbing systems, and providing for the adoption and enforcement thereof by certain governmental units as defined herein," enacted by the 68th General Assembly.

Sec. 19. (1) No license shall be suspended or revoked until after an impartial hearing before the Board.

(2) No hearing for the suspension or revocation of any license shall be held until a written complaint is filed with the Department stating facts which if proved would constitute grounds for suspension or revocation of a license as provided in this Act.

(3) When a written complaint is filed, the Department shall set a date for a hearing thereon which shall be held either in the City of Chicago or the City of Springfield. The Department shall promptly send to the licensee charged in the complaint, by personal delivery or registered mail a correct copy of the complaint and notice when and where a hearing will be held. The licensee shall be given at least 20 days notice of the complaint and date and place of hearing.

(4) At the time and place specified in the notice the Board shall conduct a hearing on the complaint. A complaining party by himself or through counsel may aid in the presentation of

evidence toward proving the charges alleged in the complaint. The accused may appear and defend, and may be represented by counsel. Full opportunity shall be afforded for hearing all evidence either in support of or against the charges. After completion of the hearing the Board shall submit its written report of findings to the Director. The Director shall if the findings are supported by a preponderance of the evidence, enter an order in accordance with such findings that the license of the respondent party be suspended or revoked or that the complaint be dismissed. If the Director believes for good cause that the complaint should again be referred to the Board for further hearing he may order a rehearing of the charges before the Board. A copy of the Director's order dismissing the complaint or suspending or revoking any license shall be promptly sent to respondent licensee and other parties of record either by personal delivery or registered mail. Such order of the Director shall be final unless the licensee or any other party to the record shall within 20 days after receipt of the Director's order file a written motion with the Department for rehearing, specifying the reasons therefor. The filing of a motion for rehearing shall stay the order pending a final decision. The Director shall promptly either deny or allow the motion for rehearing. If allowed there shall be an additional hearing before the Board after a notice of 20 days by registered mail or by personal delivery to the licensee and all parties of record. Not more than one rehearing on any complaint shall be granted. The decision of the Director shall be final on issues of fact and final in all respects unless an appeal for judicial review is perfected as provided in this Act.

Sec. 20. (1) The Director shall revoke or suspend a license after hearing before the

Board when the findings show one or more of the following:

(a) That the licensee obtained or conspired with others to obtain a license by inducing the issuance thereof in consideration of the payment of money or delivery of any other thing of value or by and through a wilfull misrepresentation of facts to the Director or the Board.

(b) That the licensee wilfully violated any plumbing ordinance or resolution of any city, village, or incorporated town, or any law of this State regulating plumbing or plumbers, or any minimum code of standards relating to plumbing installation which may be adopted pursuant to "An Act in relation to the establishment by the Department of Public Health of a minimum code of standards for the fixtures, materials, design and installation methods of plumbing systems, and providing for the adoption and enforcement thereof by certain governmental units as defined herein," enacted by the 68th General Assembly.

(c) That the licensee has been guilty of negligence or incompetence in the performance of plumbing.

(d) That the licensee has been convicted of a felony.

(e) That the licensee has wilfully violated any provision of this Act.

(f) That the licensee has wilfully loaned or in any manner transferred his license to another person to permit such person to engage illegally in plumbing contrary to this Act.

(2) No proceeding to suspend or revoke a license shall be held unless filed with the Department within 3 years next after the last date of violation. If a licensee is outside the State of Illinois subsequent to any violation by him as specified in this Section, the time or duration of his absence from Illinois shall not be included as a part of such 3 years of limitation.

(3) The Director may suspend any license under this section for not less than 30 days or more than one year, but if the Director determines that the findings so justify, he may revoke any license. If a license is suspended, the license certificate shall be surrendered to the Department but it shall be returned to the licensee upon the termination of the suspension period.

Sec. 21. The Director may in his discretion reinstate a plumber's license not less than one year and not more than five years after such license has been revoked. Reinstatement by the Director may be ordered only after a hearing before the Board on the petition of the person whose license has been revoked. Whenever a petition for reinstatement is filed with the Department the Director shall set a hearing and either by personal delivery or registered mail serve a copy of the petition and notice of when and where the hearing will be held on all parties of record when the license in question was revoked. Such notice shall be served at least 20 days before the date set for the hearing. The Board shall hear all material evidence in support of or against the petition and thereafter submit its report of findings to the Director who shall promptly allow or deny the petition for reinstatement of the license. The order of the Director shall be served on the petitioner and all parties of record either by personal service or registered mail, sent to their addresses of record. If the petition for reinstatement is denied the petitioner may file his petition for rehearing within 20 days after receipt of the Director's order, whereupon, the Director will then promptly order either a denial or allowance of the petition for rehearing. If such petition for rehearing is granted the entire record shall be referred to the Board and a hearing held not less than 20 days after notice of the time and place of the rehearing

to all parties of record. At the conclusion of such rehearing the Board shall report findings to the Director who may either grant or deny the petition for reinstatement.

No more than one rehearing on the same petition for reinstatement shall be allowed; and not more than one petition for reinstatement of the same license shall be considered or heard within one year. If the petition for reinstatement is granted by the Director, he shall promptly issue a plumber's license certificate to the petitioner upon payment of the required annual license fee.

Sec. 22. The Director and each member of the Board shall have power to subpoena to any hearing authorized by this Act any person in this State to give testimony and evidence either orally or by deposition or both. The Director and each member of the Board may also issue subpoena duces tecum for production of any books and records and other documents for evidence at any authorized hearing under this Act. Witnesses subpoenaed as provided herein shall be paid the same witness fees and mileage as provided for witnesses who are subpoenaed to give testimony in any civil case in a court of record of this State. The Director and any member of the Board is hereby empowered to administer oaths or affirmations to witnesses at any hearing authorized by this Act.

Sec. 23. Any Circuit or Superior Court or Judge thereof either in term time or vacation upon the application of the Director or any party of record to a hearing authorized by this Act may order the attendance of any witness and the production of any books, papers or documents in this State at any hearing authorized by this Act for the purpose of giving testimony or evidence. Any Court or Judge thereof as provided in this Section may compel

obedience to such order for appearance or production of records by proceedings for contempt.

Sec. 24. The Department at its expense shall provide a stenographer, take testimony and preserve a record of all proceedings at the hearing upon any complaint or petition for reinstatement. The complaint or petition and other documents in the nature of pleadings and motions filed in the case, the transcript of testimony, findings of the Board, and orders of the Director shall constitute the record. The Director shall furnish a transcript of such record to any person upon payment therefor of 75 cents per page for each original transcript and 25 cents per page for each carbon copy thereof.

Sec. 25. An order of suspension, revocation, or reinstatement of a license, or of dismissal of a complaint or petition, or a certified copy of such order, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that:

- (a) Such signature is the genuine signature of the Director.
- (b) That such Director is duly appointed and qualified.
- (c) That the Board and the Members thereof are qualified to act.

Sec. 26. All final administrative decisions of the Director hereunder shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act", approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 1 of the "Administrative Review Act".

Sec. 27. The Department shall not be required to certify any record to the Court or file any answer in Court or otherwise appear in

any Court, unless there is filed in Court with the complaint a receipt from the Department acknowledging payment of the costs for furnishing and certifying the record as provided in Section 24 hereof. Failure on the part of the plaintiff to file such a receipt in Court shall be grounds for dismissal of the action.

Sec. 28. Appeals from all final orders and judgments entered by a Circuit or Superior Court on review of an order of the Director as provided in Section 26 of this Act may be taken directly to the Supreme Court, provided that petition for leave to appeal is filed within 60 days after said order of the Circuit or Superior Court.

Sec. 29. (1) Any person violating any provision of this Act shall be fined not less than \$25.00 and not more than \$500.00, or be imprisoned in the county jail for not more than 6 months, or both, for a first offense; and for a second or subsequent violation of this Act shall be fined not less than \$50.00 nor more than \$500.00, or imprisoned in the county jail for not more than one year, or both.

(2) It is hereby declared to be a public nuisance for any person to perform any acts for which a license is required by this Act without having in effect such a license. The Director or the State's Attorney of the county in which such nuisance has occurred may file a complaint in equity in the name of the people of the State of Illinois perpetually to enjoin such person from performing such unlawful acts. Upon the filing of a verified petition in said cause, the Court, if satisfied that such unlawful acts have been performed and may continue to be performed, shall allow a temporary injunction without notice or bond enjoining the defendant from performing such unlawful acts.

(3) If it is established that said defendant contrary to this Act has been or is engaging

in or about to engage in plumbing without having been issued a license or has been or is or about to engage in plumbing after his license has been suspended or revoked or after his license has not been renewed, the Court, or any Judge thereof, may enter a decree perpetually enjoining said defendant from further engaging in plumbing contrary to this Act. In case of violation of any injunction issued under this Section, the Court, or any judge thereof, may summarily try and punish the offender for contempt of Court.

Such injunction proceedings shall be in addition to, and not in lieu of, all penalties and other remedies in this Act provided.

(4) It is hereby declared to be a public nuisance for any person to perform the act of installing plumbing in violation of the provisions of any applicable code, law or regulation respecting the installation thereof. The State's Attorney of the County in which such nuisance has occurred, or any inspector of plumbing for the territory in which such nuisance has occurred, may institute proceedings for the abatement thereof and may file a complaint in equity to enjoin the use of such plumbing until it has been corrected and brought into conformity to such code, law or regulation. The installing of any such defective plumbing is forbidden and any person making any such installation, upon conviction, shall be subject to a fine or not less than \$25.00 or more than \$500.00, or by imprisonment in the county jail for not more than six months, or both.

(5) The installation of plumbing through which disease organisms may be introduced into a pure water supply through back-siphonage or cross-connections or through the escape of vermin from building drainage systems is forbidden, and any person who shall install, or direct the installation of the same, upon conviction, shall be subject to a fine of not less

than \$200 or more than \$1000, or to imprisonment in the County jail for not more than six months, or both, for each offense.

Sec. 30. (1) The fee for the examination for a plumber's license shall be \$25.00.

(2) The annual plumber's license fee shall be \$10.00.

(3) The fee for reinstatement of a plumber's license as provided in Section 14 of this Act shall be \$15.00.

(4) The fee for the plumber's license certificate shall be \$10.00.

Sec. 31. "An Act in relation to the regulation of plumbing and to repeal a certain Act therein named," filed July 26, 1951, is repealed.

Sec. 32. The judicial determination that any section, paragraph, provision or part of this Act is unconstitutional, shall not in any way affect the constitutionality of any other provision, paragraph, section or part hereof.

Sec. 33. State's Attorneys shall prosecute all persons violating any of the provisions of this Act.

Sec. 34. This Act may be known and shall be cited as the Illinois Plumbing License Law.

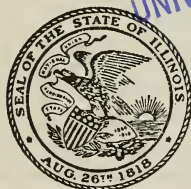


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**THE ILLINOIS
PLUMBING LICENSE
LAW**

STATE OF ILLINOIS

WILLIAM G. STRATTON
GOVERNOR



DEPARTMENT OF
REGISTRATION AND EDUCATION

VERA M. BINKS, Director
SPRINGFIELD

1958

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An Act in relation to the licensing and regulation of plumbers, to repeal a certain Act therein named, and to prescribe penalties for the violation thereof. Approved July 13, 1953.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. It has been established by scientific evidence that improper plumbing can adversely affect the public health. One of the functions of plumbing is to carry away sewage and human excreta and wastes which may be dangerous to health because of the presence of disease organisms or noxious and asphyxiating gases. Disease organisms may be introduced into the pure water supply through back-siphonage or cross-connections or through the escape of vermin from building drainage systems. Sewer gases may escape because of faulty installation of traps or inadequate venting of the waste disposal system. Faulty plumbing has frequently caused widespread disease and epidemics with disastrous consequences.

Consistent with its duty to safeguard the health of the people of this State, the General Assembly therefore declares that individuals who plan, install, alter, extend, repair and maintain plumbing systems should be individuals of proved skill. To insure such skill and thereby protect the public health, this Act is declared to be essential to the public interest.

Sec. 2. When used in this Act:

(1) "Board" means the Illinois State Board of Plumbing Examiners.

(2) "Department" means the Department of Registration and Education of the State of Illinois.

(3) "Director" means the Director of the Illinois Department of Registration and Education.

(4) "Person" means any natural person, firm, corporation, partnership or association.

(5) "Plumbing" means the installation, repair, maintenance, alterations or extension of a plumbing system in any building which is connected to a public water supply or public sewage system and includes:

(a) All piping, fixtures, appurtenances and appliances for a supply of water for all personal or domestic purposes in and about buildings where a person or persons live, work or assemble;

(b) Piping, fixtures, appurtenances and appliances for a sanitary drainage and related ventilation system within a building, and all piping, fixtures, appurtenances, appliances outside a building connecting the building with the source of water supply on the premises or the main in the street, alley or at the curb;

(c) All piping, fixtures, appurtenances, appliances, drain or waste pipes carrying domestic sewage from the foundation walls of a building to the sewer service lateral at the curb or in the street or alley, or other disposal terminal holding private or domestic sewage;

(d) The Planning, design, installation, repair, maintenance, alteration, extension and work upon and connection with such piping, fixtures, appliances, appurtenances, drain or waste pipes.

Plumbing does not mean or include, and nothing in this Act shall be held or construed to have any application to, the trade of drain-laying, the trade of drilling water wells, which constitute the sources of private water supplies, and of making connections between such wells and pumping units or pressure tanks in the water supply systems of buildings served by such private water supplies, or the trade or business of installing water softening equipment and apparatus and of maintaining and

servicing the same, or the business of manufacturing or selling plumbing fixtures, appliances, equipment or hardware; nor does it mean or include minor repairs which do not require changes in the piping to or from plumbing fixtures or involve the removal, replacement, installation or re-installation of any pipe or plumbing fixtures.

Sec. 3. (1) All planning and designing of plumbing systems and all plumbing shall be performed only by plumbers licensed pursuant to the provisions of this Act hereinafter called "licensed plumbers", provided that no person who holds a certificate of registration provided for by "The Illinois Architectural Act", approved June 24, 1919, as amended, or "The Illinois Structural Engineering Act", approved June 24, 1919, as amended, or the "Illinois Professional Engineering Act", approved July 20, 1945, as amended, shall be prevented from planning and designing plumbing systems.

(2) Nothing herein contained shall prohibit a licensed plumber from employing any person at least 16 years of age to engage in plumbing as a plumber's apprentice under the supervision of a licensed plumber. No person shall engage in plumbing as a plumber's apprentice unless he has registered with the Department as a plumber's apprentice upon forms prescribed by the Director. No licensed plumber shall employ any person as a plumber's apprentice who is not so registered.

(3) Nothing herein contained shall prohibit the owner or lessee occupant of a single family residence from himself planning, installing, altering or repairing the plumbing system of such residence; provided, that such plumbing shall comply with all plumbing laws, rules and regulations applicable thereto and shall be subject to such inspection as may therein be provided; and provided further that any such owner or

lessee occupant may not employ any other person than a licensed plumber to assist him in such work.

Sec. 4. The employees of a firm, association, partnership or corporation who engage in plumbing shall be licensed plumbers or apprentices. At least one member of every firm, association or partnership engaged in plumbing work, and at least one corporate officer of every corporation engaged in plumbing work, as the case may be, shall be licensed as a plumber hereunder.

Sec. 5. Every such firm, association, partnership or corporation shall keep on display in its place of business the license of at least one of its members, partners, or officers thereof.

Sec. 6. No municipal corporation or political subdivision shall engage in plumbing unless such plumbing is performed by one or more licensed plumbers, or apprentice plumbers under the supervision of licensed plumbers, provided that any such governmental unit may contract for plumbing with any person authorized to engage in plumbing in this State.

Sec. 7. (1) There is created an Illinois State Board of Plumbing Examiners which shall exercise its duties provided in this Act under the supervision of the Department. The Board shall consist of five licensed plumbers designated from time to time by the Director. In making the appointments to the Board the Director shall consider the recommendations of associations of master or contracting plumbers, associations or unions of journeyman plumbers, and associations of retail plumbers.

(2) The Board shall aid the Director and the Department by:

(a) Preparing subject matter for examinations as provided in this Act.

(b) Suggesting rules to govern examinations and hearings for suspension, revocation or reinstatement of licenses.

(c) Holding hearings for the suspension, revocation or reinstatement of licenses as provided in this Act.

(d) Submitting recommendations to the Director from time to time for the efficient administration of this Act.

(e) Grading all tests and examinations for licenses and promptly reporting the results to the Director.

(f) Performing such other duties from time to time prescribed by the Director.

3. The members of the Board shall be paid at the rate of \$10.00 per day for actual time devoted to their duties and shall be reimbursed for necessary traveling expenses.

Sec. 8. The Director shall:

(1) Prepare forms for application for examination for a plumber's license.

(2) Prepare and issue license certificates as provided in this Act.

(3) With the aid of the Board prescribe rules and regulations for the conduct of examinations for licenses.

(4) With the aid of the Board prepare and give uniform and comprehensive examinations to applicants for plumbers' licenses which will test their knowledge and qualifications in the planning and design of plumbing systems, their knowledge, qualifications, and manual skills in plumbing, and their knowledge of any minimum code of standards relating to fixtures, materials, design and installation methods of plumbing systems, which may be adopted pursuant to "An Act in relation to the establishment by the Department of Public Health of a minimum code of standards for the fixtures, materials,

design and installation methods of plumbing systems, and providing for the adoption and enforcement thereof by certain governmental units as defined herein," enacted by the 68th General Assembly.

(5) Issue a plumber's license certificate to every applicant who has passed the examination and who has paid the required license fee.

(6) Prescribe rules for hearings to suspend, revoke or reinstate licenses as provided in this Act.

(7) Maintain a current record showing (a) the names and addresses of licensed plumbers in this state, (b) the dates of issuance of licenses, (c) the date and substance of the charges set forth in any complaint for suspension or revocation of any license, (d) the date and substance of the final order issued upon each such complaint, and (e) the date and substance of all petitions for reinstatement of license and final orders on such petitions. The Director shall provide each Board of Plumbing Examiners created pursuant to Section 16 of this Act with a copy of such current record, and shall advise of changes thereto at least every six months.

(8) Prescribe uniform and reasonable rules defining what constitutes an approved course of instruction in plumbing, sanitary engineering, or plumbing engineering in colleges, universities, or trade schools, and approve or disapprove the courses of instruction offered by such colleges, universities, or trade schools by reference to their compliance or non-compliance with such rules. Such rules shall be designed to assure that an approved course of instruction will adequately teach the design, planning, installation, replacement, extension, alteration and repair of plumbing. In prescribing such rules the Director may consult with the Chief Sanitary Engineer of the Department

of Public Health, the Senior Professor of Sanitary Engineering of the University of Illinois, and with the Board.

Sec. 9. The Department shall hold examinations for applicants for plumbers' licenses at least once every three months in the City of Springfield, Illinois, or some other convenient place in this State.

Sec. 10. (1) An applicant for a plumber's license shall file his written application in the office of the Department on the form designated by the Department at least 15 days before the date set for the examination.

(2) The Director shall promptly approve the application for examination if:

(a) the required examination fee has been paid, and

(b) the applicant has submitted evidence that he is a citizen of the United States or has declared his intention to become a citizen, and

(c) the applicant has been engaged in plumbing as a plumber's apprentice for at least five years preceding the date of his application, including such work as may have been performed prior to the effective date of this Act, (the applicant's own affidavit stating the time and place of such work shall be considered sufficient evidence for this subparagraph), or,

(d) the applicant has submitted evidence that he has successfully completed an approved course of instruction in plumbing, sanitary engineering, or plumbing engineering in a trade school, college or university.

(3) If the application is approved, the Department shall promptly notify the applicant in writing of such approval and of the place and time of the examination. If the application is disapproved the Department shall promptly notify the applicant in writing of such disap-

proval, stating the reasons for disapproval, and refund the examination fee if paid by the applicant.

Sec. 11. The Director shall issue plumber's license certificates to those applicants who pass the examination upon payment to the Department of the required license fee. Such license certificates shall be issued in the name of the Department with the seal thereof attached.

Sec. 12. Any person who on the effective date of this Act holds either an unexpired Master Plumber's License or an unexpired Journeyman Plumber's license issued by the Department or by a city, village or incorporated town pursuant to the provisions of the Act herein repealed shall, upon application within one year after the effective date of this Act and payment of the required license fee, be issued a plumber's license certificate hereunder without examination.

Any person who, on the effective date of this Act, has been engaged in the occupation, trade or business of a master or journeyman plumber, within the State of Illinois, for a period of five consecutive years or more, shall, upon application within one year after the effective date of this Act and payment of the required license fee, be issued a plumber's license certificate hereunder, without examination, provided, however, that the Director may require such applicant to submit satisfactory proof that he has so engaged for such period.

Sec. 13. An applicant who fails to pass the examination for a plumber's license shall not be permitted to take another examination until after the expiration of six months following the date of such examination.

Sec. 14. All plumbers' licenses shall expire on May 1st next following date of issuance. Licenses may be renewed for a period of one

year from each succeeding May 1st, upon payment during the month of April of the required annual license fee. A license which has expired for failure to pay the annual fee shall be reinstated by the Department, without examination, upon payment of a lapsed renewal fee in addition to the annual license fee within five years following the date of expiration.

Sec. 15. The Department shall reinstate a license which expires while a licensee is in the active Military Service of the United States upon application by the former licensee within two years after termination of such military service, payment of the annual license fee and submission of evidence of such military service. Such license shall be reinstated without examination and without payment of the lapsed renewal fee.

Sec. 16. (1) Any city, village or incorporated town, having a population of 500,000 or more may, by an ordinance containing provisions substantially the same as those in this Act and specifying educational or experience requirements equivalent to those prescribed in this Act provide for a board of plumbing examiners to conduct examinations for, and to issue, suspend, or revoke, plumbers' licenses, within such city, village or incorporated town. Upon the enactment of such ordinance the provisions of this Act shall not apply within any such municipality except as otherwise provided herein.

(2) Any person licensed as a plumber pursuant to such ordinance, or licensed by the Department under this Act, may engage in plumbing anywhere in this State.

(3) Any board of plumbing examiners created pursuant to this Section shall maintain a current record similar to that required by the Director by Section 8 of this Act, and shall provide the Department with a copy thereof.

The Department shall be advised of changes in such record at least every six months.

Sec. 17. Any person who has been licensed by another state as a master plumber, journeyman plumber, or the equivalent thereof, may apply for a plumber's license under this Act. The Director shall issue such license, without examination, upon payment of the fee for the license certificate and the annual license fee provided herein if the educational or experience requirements for the issuance of the license by such other state are at least the equivalent of the requirements of this Act.

Sec. 18. (1) It is hereby declared to be the policy of this State that each city, town or village with a system of water supply or sewage or both should so soon after the enactment of this Act as practicable, with the advice of the State Department of Health, provide by ordinance, by-laws or rules and regulations for the materials, construction, alteration, and inspection of all plumbing placed in or in connection with any building in any such city, town or village and to provide for and appoint a competent Plumbing Inspector or more as required. Nothing contained in this Act shall prohibit any city, village or incorporated town from providing for a plumbing inspector or from requiring permits for the installation and repair of plumbing and collecting a fee therefor.

(2) The Department of Public Health shall conduct inquiry in any city, town or village or at any other place in the State when reasonably necessary in the judgment of the Director of the Department of Health to safeguard the health of any person or persons in this State, on account of piping or appurtenant appliances within any building, or outside, when such piping and appliances are for the use of plumbing as defined in this Act and for the use of carrying sewage or waste within or from any building.

The Department of Public Health may conduct such inquiries in any city, town or village in this State by directing the Plumbing Inspector thereof to aid in or conduct such inquiry or investigation in behalf of the Department of Public Health, or the Department of Public Health may designate some other person or persons to conduct such investigation.

This section shall be subject to the provisions of "An Act in relation to the establishment by the Department of Public Health of a minimum code of standards for the fixtures, materials, design and installation methods of plumbing systems, and providing for the adoption and enforcement thereof by certain governmental units as defined herein," enacted by the 68th General Assembly.

Sec. 19. (1) No license shall be suspended or revoked until after an impartial hearing before the Board.

(2) No hearing for the suspension or revocation of any license shall be held until a written complaint is filed with the Department stating facts which if proved would constitute grounds for suspension or revocation of a license as provided in this Act.

(3) When a written complaint is filed, the Department shall set a date for a hearing thereon which shall be held either in the City of Chicago or the City of Springfield. The Department shall promptly send to the licensee charged in the complaint, by personal delivery or registered mail a correct copy of the complaint and notice when and where a hearing will be held. The licensee shall be given at least 20 days notice of the complaint and date and place of hearing.

(4) At the time and place specified in the notice the Board shall conduct a hearing on the complaint. A complaining party by himself or through counsel may aid in the presentation of

evidence toward proving the charges alleged in the complaint. The accused may appear and defend, and may be represented by counsel. Full opportunity shall be afforded for hearing all evidence either in support of or against the charges. After completion of the hearing the Board shall submit its written report of findings to the Director. The Director shall if the findings are supported by a preponderance of the evidence, enter an order in accordance with such findings that the license of the respondent party be suspended or revoked or that the complaint be dismissed. If the Director believes for good cause that the complaint should again be referred to the Board for further hearing he may order a rehearing of the charges before the Board. A copy of the Director's order dismissing the complaint or suspending or revoking any license shall be promptly sent to respondent licensee and other parties of record either by personal delivery or registered mail. Such order of the Director shall be final unless the licensee or any other party to the record shall within 20 days after receipt of the Director's order file a written motion with the Department for rehearing, specifying the reasons therefor. The filing of a motion for rehearing shall stay the order pending a final decision. The Director shall promptly either deny or allow the motion for rehearing. If allowed there shall be an additional hearing before the Board after a notice of 20 days by registered mail or by personal delivery to the licensee and all parties of record. Not more than one rehearing on any complaint shall be granted. The decision of the Director shall be final on issues of fact and final in all respects unless an appeal for judicial review is perfected as provided in this Act.

Sec. 20. (1) The Director shall revoke or suspend a license after hearing before the

Board when the findings show one or more of the following:

(a) That the licensee obtained or conspired with others to obtain a license by inducing the issuance thereof in consideration of the payment of money or delivery of any other thing of value or by and through a willful misrepresentation of facts to the Director or the Board.

(b) That the licensee willfully violated any plumbing ordinance or resolution of any city, village, or incorporated town, or any law of this State regulating plumbing or plumbers, or any minimum code of standards relating to plumbing installation which may be adopted pursuant to "An Act in relation to the establishment by the Department of Public Health of a minimum code of standards for the fixtures, materials, design and installation methods of plumbing systems, and providing for the adoption and enforcement thereof by certain governmental units as defined herein," enacted by the 68th General Assembly.

(c) That the licensee has been guilty of negligence or incompetence in the performance of plumbing.

(d) That the licensee has been convicted of a felony.

(e) That the licensee has willfully violated any provision of this Act.

(f) That the licensee has willfully loaned or in any manner transferred his license to another person to permit such person to engage illegally in plumbing contrary to this Act.

(2) No proceeding to suspend or revoke a license shall be held unless filed with the Department within 3 years next after the last date of violation. If a licensee is outside the State of Illinois subsequent to any violation by him as specified in this Section, the time or duration of his absence from Illinois shall not be included as a part of such 3 years of limitation.

(3) The Director may suspend any license under this section for not less than 30 days or more than one year, but if the Director determines that the findings so justify, he may revoke any license. If a license is suspended, the license certificate shall be surrendered to the Department but it shall be returned to the licensee upon the termination of the suspension period.

Sec. 21. The Director may in his discretion reinstate a plumber's license not less than one year and not more than five years after such license has been revoked. Reinstatement by the Director may be ordered only after a hearing before the Board on the petition of the person whose license has been revoked. Whenever a petition for reinstatement is filed with the Department the Director shall set a hearing and either by personal delivery or registered mail serve a copy of the petition and notice of when and where the hearing will be held on all parties of record when the license in question was revoked. Such notice shall be served at least 20 days before the date set for the hearing. The Board shall hear all material evidence in support of or against the petition and thereafter submit its report of findings to the Director who shall promptly allow or deny the petition for reinstatement of the license. The order of the Director shall be served on the petitioner and all parties of record either by personal service or registered mail, sent to their addresses of record. If the petition for reinstatement is denied the petitioner may file his petition for rehearing within 20 days after receipt of the Director's order, whereupon, the Director will then promptly order either a denial or allowance of the petition for rehearing. If such petition for rehearing is granted the entire record shall be referred to the Board and a hearing held not less than 20 days after notice of the time and place of the rehearing

to all parties of record. At the conclusion of such rehearing the Board shall report findings to the Director who may either grant or deny the petition for reinstatement.

No more than one rehearing on the same petition for reinstatement shall be allowed; and not more than one petition for reinstatement of the same license shall be considered or heard within one year. If the petition for reinstatement is granted by the Director, he shall promptly issue a plumber's license certificate to the petitioner upon payment of the required annual license fee.

Sec. 22. The Director and each member of the Board shall have power to subpoena to any hearing authorized by this Act any person in this State to give testimony and evidence either orally or by deposition or both. The Director and each member of the Board may also issue subpoena duces tecum for production of any books and records and other documents for evidence at any authorized hearing under this Act. Witnesses subpoenaed as provided herein shall be paid the same witness fees and mileage as provided for witnesses who are subpoenaed to give testimony in any civil case in a court of record of this State. The Director and any member of the Board is hereby empowered to administer oaths or affirmations to witnesses at any hearing authorized by this Act.

Sec. 23. Any Circuit or Superior Court or Judge thereof either in term time or vacation upon the application of the Director or any party of record to a hearing authorized by this Act may order the attendance of any witness and the production of any books, papers or documents in this State at any hearing authorized by this Act for the purpose of giving testimony or evidence. Any Court or Judge thereof as provided in this Section may compel

obedience to such order for appearance or production of records by proceedings for contempt.

Sec. 24. The Department at its expense shall provide a stenographer, take testimony and preserve a record of all proceedings at the hearing upon any complaint or petition for reinstatement. The complaint or petition and other documents in the nature of pleadings and motions filed in the case, the transcript of testimony, findings of the Board, and orders of the Director shall constitute the record. The Director shall furnish a transcript of such record to any person upon payment therefor of 75 cents per page for each original transcript and 25 cents per page for each carbon copy thereof.

Sec. 25. An order of suspension, revocation, or reinstatement of a license, or of dismissal of a complaint or petition, or a certified copy of such order, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that:

- (a) Such signature is the genuine signature of the Director.
- (b) That such Director is duly appointed and qualified.
- (c) That the Board and the Members thereof are qualified to act.

Sec. 26. All final administrative decisions of the Director hereunder shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act", approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 1 of the "Administrative Review Act".

Sec. 27. The Department shall not be required to certify any record to the Court or file any answer in Court or otherwise appear in

any Court, unless there is filed in Court with the complaint a receipt from the Department acknowledging payment of the costs for furnishing and certifying the record as provided in Section 24 hereof. Failure on the part of the plaintiff to file such a receipt in Court shall be grounds for dismissal of the action.

Sec. 28. Appeals from all final orders and judgments entered by a Circuit or Superior Court on review of an order of the Director as provided in Section 26 of this Act may be taken directly to the Supreme Court, provided that petition for leave to appeal is filed within 60 days after said order of the Circuit or Superior Court.

Sec. 29. (1) Any person violating any provision of this Act shall be fined not less than \$25.00 and not more than \$500.00, or be imprisoned in the county jail for not more than 6 months, or both, for a first offense; and for a second or subsequent violation of this Act shall be fined not less than \$50.00 nor more than \$500.00, or imprisoned in the county jail for not more than one year, or both.

(2) It is hereby declared to be a public nuisance for any person to perform any acts for which a license is required by this Act without having in effect such a license. The Director or the State's Attorney of the county in which such nuisance has occurred may file a complaint in equity in the name of the people of the State of Illinois perpetually to enjoin such person from performing such unlawful acts. Upon the filing of a verified petition in said cause, the Court, if satisfied that such unlawful acts have been performed and may continue to be performed, shall allow a temporary injunction without notice or bond enjoining the defendant from performing such unlawful acts.

(3) If it is established that said defendant contrary to this Act has been or is engaging

in or about to engage in plumbing without having been issued a license or has been or is or about to engage in plumbing after his license has been suspended or revoked or after his license has not been renewed, the Court, or any Judge thereof, may enter a decree perpetually enjoining said defendant from further engaging in plumbing contrary to this Act. In case of violation of any injunction issued under this Section, the Court, or any judge thereof, may summarily try and punish the offender for contempt of Court.

Such injunction proceedings shall be in addition to, and not in lieu of, all penalties and other remedies in this Act provided.

(4) It is hereby declared to be a public nuisance for any person to perform the act of installing plumbing in violation of the provisions of any applicable code, law or regulation respecting the installation thereof. The State's Attorney of the County in which such nuisance has occurred, or any inspector of plumbing for the territory in which such nuisance has occurred, may institute proceedings for the abatement thereof and may file a complaint in equity to enjoin the use of such plumbing until it has been corrected and brought into conformity to such code, law or regulation. The installing of any such defective plumbing is forbidden and any person making any such installation, upon conviction, shall be subject to a fine or not less than \$25.00 or more than \$500.00, or by imprisonment in the county jail for not more than six months, or both.

(5) The installation of plumbing through which disease organisms may be introduced into a pure water supply through back-siphonage or cross-connections or through the escape of vermin from building drainage systems is forbidden, and any person who shall install, or direct the installation of the same, upon conviction, shall be subject to a fine of not less

than \$200 or more than \$1000, or to imprisonment in the County jail for not more than six months, or both, for each offense.

Sec. 30. (1) The fee for the examination for a plumber's license shall be \$25.00.

(2) The annual plumber's license fee shall be \$10.00.

(3) The fee for reinstatement of a plumber's license as provided in Section 14 of this Act shall be \$15.00.

(4) The fee for the plumber's license certificate shall be \$10.00.

Sec. 31. "An Act in relation to the regulation of plumbing and to repeal a certain Act therein named," filed July 26, 1951, is repealed.

Sec. 32. The judicial determination that any section, paragraph, provision or part of this Act is unconstitutional, shall not in any way affect the constitutionality of any other provision, paragraph, section or part hereof.

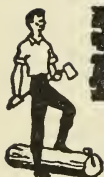
Sec. 33. State's Attorneys shall prosecute all persons violating any of the provisions of this Act.

Sec. 34. This Act may be known and shall be cited as the Illinois Plumbing License Law.



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**THE ILLINOIS
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LAW**

STATE OF ILLINOIS

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1960 An Act in relation to the licensing and regulation of plumbers, to repeal a certain Act therein named, and to prescribe penalties for the violation thereof. Approved July 13, 1953.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. It has been established by scientific evidence that improper plumbing can adversely affect the public health. One of the functions of plumbing is to carry away sewage and human excreta and wastes which may be dangerous to health because of the presence of disease organisms or noxious and asphyxiating gases. Disease organisms may be introduced into the pure water supply through back-siphonage or cross-connections or through the escape of vermin from building drainage systems. Sewer gases may escape because of faulty installation of traps or inadequate venting of the waste disposal system. Faulty plumbing has frequently caused widespread disease and epidemics with disastrous consequences.

Consistent with its duty to safeguard the health of the people of this State, the General Assembly therefore declares that individuals who plan, install, alter, extend, repair and maintain plumbing systems should be individuals of proved skill. To insure such skill and thereby protect the public health, this Act is declared to be essential to the public interest.

Sec. 2. When used in this Act:

(1) "Board" means the Illinois State Board of Plumbing Examiners.

(2) "Department" means the Department of Registration and Education of the State of Illinois.

(3) "Director" means the Director of the Illinois Department of Registration and Education.

(4) "Person" means any natural person, firm, corporation, partnership or association.

(5) "Plumbing" means the installation, repair, maintenance, alterations or extension of a plumbing system in any building which is connected to a public water supply or public sewage system and includes:

(a) All piping, fixtures, appurtenances and appliances for a supply of water for all personal or domestic purposes in and about buildings where a person or persons live, work or assemble;

(b) Piping, fixtures, appurtenances and appliances for a sanitary drainage and related ventilation system within a building, and all piping, fixtures, appurtenances, appliances outside a building connecting the building with the source of water supply on the premises or the main in the street, alley or at the curb;

(c) All piping, fixtures, appurtenances, appliances, drain or waste pipes carrying domestic sewage from the foundation walls of a building to the sewer service lateral at the curb or in the street or alley, or other disposal terminal holding private or domestic sewage;

(d) The Planning, design, installation, repair, maintenance, alteration, extension and work upon and connection with such piping, fixtures, appliances, appurtenances, drain or waste pipes.

Plumbing does not mean or include, and nothing in this Act shall be held or construed to have any application to, the trade of drain-laying, the trade of drilling water wells, which constitute the sources of private water supplies, and of making connections between such wells and pumping units or pressure tanks in the water supply systems of buildings served by such private water supplies, or the trade or business of installing water softening equipment and apparatus and of maintaining and

servicing the same, or the business of manufacturing or selling plumbing fixtures, appliances, equipment or hardware; nor does it mean or include minor repairs which do not require changes in the piping to or from plumbing fixtures or involve the removal, replacement, installation or re-installation of any pipe or plumbing fixtures.

Sec. 3. (1) All planning and designing of plumbing systems and all plumbing shall be performed only by plumbers licensed pursuant to the provisions of this Act hereinafter called "licensed plumbers", provided that no person who holds a certificate of registration provided for by "The Illinois Architectural Act", approved June 24, 1919, as amended, or "The Illinois Structural Engineering Act", approved June 24, 1919, as amended, or the "Illinois Professional Engineering Act", approved July 20, 1945, as amended, shall be prevented from planning and designing plumbing systems.

(2) Nothing herein contained shall prohibit a licensed plumber from employing any person at least 16 years of age to engage in plumbing as a plumber's apprentice under the supervision of a licensed plumber. No person shall engage in plumbing as a plumber's apprentice unless he has registered with the Department as a plumber's apprentice upon forms prescribed by the Director. No licensed plumber shall employ any person as a plumber's apprentice who is not so registered.

(3) Nothing herein contained shall prohibit the owner or lessee occupant of a single family residence from himself planning, installing, altering or repairing the plumbing system of such residence; provided, that such plumbing shall comply with all plumbing laws, rules and regulations applicable thereto and shall be subject to such inspection as may therein be provided; and provided further that any such owner or

lessee occupant may not employ any other person than a licensed plumber to assist him in such work.

Sec. 4. The employees of a firm, association, partnership or corporation who engage in plumbing shall be licensed plumbers or apprentices. At least one member of every firm, association or partnership engaged in plumbing work, and at least one corporate officer of every corporation engaged in plumbing work, as the case may be, shall be licensed as a plumber hereunder.

Sec. 5. Every such firm, association, partnership or corporation shall keep on display in its place of business the license of at least one of its members, partners, or officers thereof.

Sec. 6. No municipal corporation or political subdivision shall engage in plumbing unless such plumbing is performed by one or more licensed plumbers, or apprentice plumbers under the supervision of licensed plumbers, provided that any such governmental unit may contract for plumbing with any person authorized to engage in plumbing in this State.

Sec. 7. (1) There is created an Illinois State Board of Plumbing Examiners which shall exercise its duties provided in this Act under the supervision of the Department. The Board shall consist of five licensed plumbers designated from time to time by the Director. In making the appointments to the Board the Director shall consider the recommendations of associations of master or contracting plumbers, associations or unions of journeyman plumbers, and associations of retail plumbers.

(2) The Board shall aid the Director and the Department by:

(a) Preparing subject matter for examinations as provided in this Act.

(b) Suggesting rules to govern examinations and hearings for suspension, revocation or reinstatement of licenses.

(c) Holding hearings for the suspension, revocation or reinstatement of licenses as provided in this Act.

(d) Submitting recommendations to the Director from time to time for the efficient administration of this Act.

(e) Grading all tests and examinations for licenses and promptly reporting the results to the Director.

(f) Performing such other duties from time to time prescribed by the Director.

3. The members of the Board shall be paid at the rate of \$10.00 per day for actual time devoted to their duties and shall be reimbursed for necessary traveling expenses.

Sec. 8. The Director shall:

(1) Prepare forms for application for examination for a plumber's license.

(2) Prepare and issue license certificates as provided in this Act.

(3) With the aid of the Board prescribe rules and regulations for the conduct of examinations for licenses.

(4) With the aid of the Board prepare and give uniform and comprehensive examinations to applicants for plumbers' licenses which will test their knowledge and qualifications in the planning and design of plumbing systems, their knowledge, qualifications, and manual skills in plumbing, and their knowledge of any minimum code of standards relating to fixtures, materials, design and installation methods of plumbing systems, which may be promulgated pursuant to the Illinois Plumbing Code Law enacted by the 70th General Assembly.

(5) Issue a plumber's license certificate to every applicant who has passed the examination and who has paid the required license fee.

(6) Prescribe rules for hearings to suspend, revoke or reinstate licenses as provided in this Act.

(7) Maintain a current record showing (a) the names and addresses of licensed plumbers in this state, (b) the dates of issuance of licenses, (c) the date and substance of the charges set forth in any complaint for suspension or revocation of any license, (d) the date and substance of the final order issued upon each such complaint, and (e) the date and substance of all petitions for reinstatement of license and final orders on such petitions. The Director shall provide each Board of Plumbing Examiners created pursuant to Section 16 of this Act with a copy of such current record, and shall advise of changes thereto at least every six months.

(8) Prescribe uniform and reasonable rules defining what constitutes an approved course of instruction in plumbing, sanitary engineering, or plumbing engineering in colleges, universities, or trade schools, and approve or disapprove the courses of instruction offered by such colleges, universities, or trade schools by reference to their compliance or non-compliance with such rules. Such rules shall be designed to assure that an approved course of instruction will adequately teach the design, planning, installation, replacement, extension, alteration and repair of plumbing. In prescribing such rules the Director may consult with the Chief Sanitary Engineer of the Department of Public Health, the Senior Professor of Sanitary Engineering of the University of Illinois, and with the Board.

Sec. 9. The Department shall hold examinations for applicants for plumbers' licenses at

least once every three months in the City of Springfield, Illinois, or some other convenient place in this State.

Sec. 10. (1) An applicant for a plumber's license shall file his written application in the office of the Department on the form designated by the Department at least 15 days before the date set for the examination.

(2) The Director shall promptly approve the application for examination if:

(a) the required examination fee has been paid, and

(b) the applicant has submitted evidence that he is a citizen of the United States or has declared his intention to become a citizen, and

(c) the applicant has been engaged in plumbing as a plumber's apprentice for at least five years preceding the date of his application, including such work as may have been performed prior to the effective date of this Act, (the applicant's own affidavit stating the time and place of such work shall be considered sufficient evidence for this subparagraph), or,

(d) the applicant has submitted evidence that he has successfully completed an approved course of instruction in plumbing, sanitary engineering, or plumbing engineering in a trade school, college or university.

(3) If the application is approved, the Department shall promptly notify the applicant in writing of such approval and of the place and time of the examination. If the application is disapproved the Department shall promptly notify the applicant in writing of such disapproval, stating the reasons for disapproval, and refund the examination fee if paid by the applicant.

Sec. 11. The Director shall issue plumber's license certificates to those applicants who pass

the examination upon payment to the Department of the required license fee. Such license certificates shall be issued in the name of the Department with the seal thereof attached.

Sec. 12. Repealed 6/8/57.

Sec. 13. An applicant who fails to pass the examination for a plumber's license shall not be permitted to take another examination until after the expiration of six months following the date of such examination.

Sec. 14. All plumbers' licenses shall expire on May 1st next following date of issuance. Licenses may be renewed for a period of one year from each succeeding May 1st, upon payment during the month of April of the required annual license fee. A license which has expired for failure to pay the annual fee shall be reinstated by the Department, without examination, upon payment of a lapsed renewal fee in addition to the annual license fee within five years following the date of expiration.

Sec. 15. The Department shall reinstate a license which expires while a licensee is in the active Military Service of the United States upon application by the former licensee within two years after termination of such military service, payment of the annual license fee and submission of evidence of such military service. Such license shall be reinstated without examination and without payment of the lapsed renewal fee.

Sec. 16. (1) Any city, village or incorporated town, having a population of 500,000 or more may, by an ordinance containing provisions substantially the same as those in this Act and specifying educational or experience requirements equivalent to those prescribed in this Act provide for a board of plumbing examiners to conduct examinations for, and to issue,

suspend, or revoke, plumbers' licenses, within such city, village or incorporated town. Upon the enactment of such ordinance the provisions of this Act shall not apply within any such municipality except as otherwise provided herein.

(2) Any person licensed as a plumber pursuant to such ordinance, or licensed by the Department under this Act, may engage in plumbing anywhere in this State.

(3) Any board of plumbing examiners created pursuant to this Section shall maintain a current record similar to that required by the Director by Section 8 of this Act, and shall provide the Department with a copy thereof. The Department shall be advised of changes in such record at least every six months.

Sec. 17. Any person who has been licensed by another state as a master plumber, journeyman plumber, or the equivalent thereof, may apply for a plumber's license under this Act. The Director shall issue such license, without examination, upon payment of the fee for the license certificate and the annual license fee provided herein if the educational or experience requirements for the issuance of the license by such other state are at least the equivalent of the requirements of this Act.

Sec. 18. (1) It is hereby declared to be the policy of this State that each city, town or village with a system of water supply or sewage or both should so soon after the enactment of this Act as practicable, with the advice of the State Department of Health, provide by ordinance, by-laws or rules and regulations for the materials, construction, alteration, and inspection of all plumbing placed in or in connection with any building in any such city, town or village and to provide for and appoint a competent Plumbing Inspector or more as required. Nothing contained in this Act shall prohibit any

city, village or incorporated town from providing for a plumbing inspector or from requiring permits for the installation and repair of plumbing and collecting a fee therefor.

(2) The Department of Public Health shall conduct inquiry in any city, town or village or at any other place in the State when reasonably necessary in the judgment of the Director of the Department of Health to safeguard the health of any person or persons in this State, on account of piping or appurtenant appliances within any building, or outside, when such piping and appliances are for the use of plumbing as defined in this Act and for the use of carrying sewage or waste within or from any building.

The Department of Public Health may conduct such inquiries in any city, town or village in this State by directing the Plumbing Inspector thereof to aid in or conduct such inquiry or investigation in behalf of the Department of Public Health, or the Department of Public Health may designate some other person or persons to conduct such investigation.

This section shall be subject to the provisions of the Illinois Plumbing Code Law enacted by the 70th General Assembly.

Sec. 19. (1) No license shall be suspended or revoked until after an impartial hearing before the Board.

(2) No hearing for the suspension or revocation of any license shall be held until a written complaint is filed with the Department stating facts which if proved would constitute grounds for suspension or revocation of a license as provided in this Act.

(3) When a written complaint is filed, the Department shall set a date for a hearing thereon which shall be held either in the City of Chicago or the City of Springfield. The Department shall promptly send to the licensee

charged in the complaint, by personal delivery or registered mail a correct copy of the complaint and notice when and where a hearing will be held. The licensee shall be given at least 20 days notice of the complaint and date and place of hearing.

(4) At the time and place specified in the notice the Board shall conduct a hearing on the complaint. A complaining party by himself or through counsel may aid in the presentation of evidence toward proving the charges alleged in the complaint. The accused may appear and defend, and may be represented by counsel. Full opportunity shall be afforded for hearing all evidence either in support of or against the charges. After completion of the hearing the Board shall submit its written report of findings to the Director. The Director shall if the findings are supported by a preponderance of the evidence, enter an order in accordance with such findings that the license of the respondent party be suspended or revoked or that the complaint be dismissed. If the Director believes for good cause that the complaint should again be referred to the Board for further hearing he may order a rehearing of the charges before the Board. A copy of the Director's order dismissing the complaint or suspending or revoking any license shall be promptly sent to respondent licensee and other parties of record either by personal delivery or registered mail. Such order of the Director shall be final unless the licensee or any other party to the record shall within 20 days after receipt of the Director's order file a written motion with the Department for rehearing, specifying the reasons therefor. The filing of a motion for rehearing shall stay the order pending a final decision. The Director shall promptly either deny or allow the motion for rehearing. If allowed there shall be an additional hearing before the Board after a notice of 20 days by

registered mail or by personal delivery to the licensee and all parties of record. Not more than one rehearing on any complaint shall be granted. The decision of the Director shall be final on issues of fact and final in all respects unless an appeal for judicial review is perfected as provided in this Act.

Sec. 20. (1) The Director shall revoke or suspend a license after hearing before the Board when the findings show one or more of the following:

(a) That the licensee obtained or conspired with others to obtain a license by inducing the issuance thereof in consideration of the payment of money or delivery of any other thing of value or by and through a willful misrepresentation of facts to the Director or the Board.

(b) That the licensee willfully violated any plumbing ordinance or resolution of any city, village, or incorporated town, or any law of this State regulating plumbing or plumbers.

(c) That the licensee has been guilty of negligence or incompetence in the performance of plumbing.

(d) That the licensee has been convicted of a felony.

(e) That the licensee has willfully violated any provision of this Act.

(f) That the licensee has willfully loaned or in any manner transferred his license to another person to permit such person to engage illegally in plumbing contrary to this Act.

(2) No proceeding to suspend or revoke a license shall be held unless filed with the Department within 3 years next after the last date of violation. If a licensee is outside the State of Illinois subsequent to any violation by him as specified in this Section, the time or duration of his absence from Illinois shall not be included as a part of such 3 years of limitation.

(3) The Director may suspend any license under this section for not less than 30 days or more than one year, but if the Director determines that the findings so justify, he may revoke any license. If a license is suspended, the license certificate shall be surrendered to the Department but it shall be returned to the licensee upon the termination of the suspension period.

Sec. 21. The Director may in his discretion reinstate a plumber's license not less than one year and not more than five years after such license has been revoked. Reinstatement by the Director may be ordered only after a hearing before the Board on the petition of the person whose license has been revoked. Whenever a petition for reinstatement is filed with the Department the Director shall set a hearing and either by personal delivery or registered mail serve a copy of the petition and notice of when and where the hearing will be held on all parties of record when the license in question was revoked. Such notice shall be served at least 20 days before the date set for the hearing. The Board shall hear all material evidence in support of or against the petition and thereafter submit its report of findings to the Director who shall promptly allow or deny the petition for reinstatement of the license. The order of the Director shall be served on the petitioner and all parties of record either by personal service or registered mail, sent to their addresses of record. If the petition for reinstatement is denied the petitioner may file his petition for rehearing within 20 days after receipt of the Director's order, whereupon, the Director will then promptly order either a denial or allowance of the petition for rehearing. If such petition for rehearing is granted the entire record shall be referred to the Board and a hearing held not less than 20 days after notice of the time and place of the rehearing

to all parties of record. At the conclusion of such rehearing the Board shall report findings to the Director who may either grant or deny the petition for reinstatement.

No more than one rehearing on the same petition for reinstatement shall be allowed; and not more than one petition for reinstatement of the same license shall be considered or heard within one year. If the petition for reinstatement is granted by the Director, he shall promptly issue a plumber's license certificate to the petitioner upon payment of the required annual license fee.

Sec. 22. The Director and each member of the Board shall have power to subpoena to any hearing authorized by this Act any person in this State to give testimony and evidence either orally or by deposition or both. The Director and each member of the Board may also issue subpoena duces tecum for production of any books and records and other documents for evidence at any authorized hearing under this Act. Witnesses subpoenaed as provided herein shall be paid the same witness fees and mileage as provided for witnesses who are subpoenaed to give testimony in any civil case in a court of record of this State. The Director and any member of the Board is hereby empowered to administer oaths or affirmations to witnesses at any hearing authorized by this Act.

Sec. 23. Any Circuit or Superior Court or Judge thereof either in term time or vacation upon the application of the Director or any party of record to a hearing authorized by this Act may order the attendance of any witness and the production of any books, papers or documents in this State at any hearing authorized by this Act for the purpose of giving testimony or evidence. Any Court or Judge thereof as provided in this Section may compel

obedience to such order for appearance or production of records by proceedings for contempt.

Sec. 24. The Department at its expense shall provide a stenographer, take testimony and preserve a record of all proceedings at the hearing upon any complaint or petition for reinstatement. The complaint or petition and other documents in the nature of pleadings and motions filed in the case, the transcript of testimony, findings of the Board, and orders of the Director shall constitute the record. The Director shall furnish a transcript of such record to any person upon payment therefor of 75 cents per page for each original transcript and 25 cents per page for each carbon copy thereof.

Sec. 25. An order of suspension, revocation, or reinstatement of a license, or of dismissal of a complaint or petition, or a certified copy of such order, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that:

- (a) Such signature is the genuine signature of the Director.
- (b) That such Director is duly appointed and qualified.
- (c) That the Board and the Members thereof are qualified to act.

Sec. 26. All final administrative decisions of the Director hereunder shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act", approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 1 of the "Administrative Review Act".

Sec. 27. The Department shall not be required to certify any record to the Court or file any answer in Court or otherwise appear in

any Court, unless there is filed in Court with the complaint a receipt from the Department acknowledging payment of the costs for furnishing and certifying the record as provided in Section 24 hereof. Failure on the part of the plaintiff to file such a receipt in Court shall be grounds for dismissal of the action.

Sec. 28. Appeals from all final orders and judgments entered by a Circuit or Superior Court on review of an order of the Director as provided in Section 26 of this Act may be taken directly to the Supreme Court, provided that petition for leave to appeal is filed within 60 days after said order of the Circuit or Superior Court.

Sec. 29. (1) Any person violating any provision of this Act shall be fined not less than \$25.00 and not more than \$500.00, or be imprisoned in the county jail for not more than 6 months, or both, for a first offense; and for a second or subsequent violation of this Act shall be fined not less than \$50.00 nor more than \$500.00, or imprisoned in the county jail for not more than one year, or both.

(2) It is hereby declared to be a public nuisance for any person to perform any acts for which a license is required by this Act without having in effect such a license. The Director or the State's Attorney of the county in which such nuisance has occurred may file a complaint in equity in the name of the people of the State of Illinois perpetually to enjoin such person from performing such unlawful acts. Upon the filing of a verified petition in said cause, the Court, if satisfied that such unlawful acts have been performed and may continue to be performed, shall allow a temporary injunction without notice or bond enjoining the defendant from performing such unlawful acts.

(3) If it is established that said defendant contrary to this Act has been or is engaging

in or about to engage in plumbing without having been issued a license or has been or is or about to engage in plumbing after his license has been suspended or revoked or after his license has not been renewed, the Court, or any Judge thereof, may enter a decree perpetually enjoining said defendant from further engaging in plumbing contrary to this Act. In case of violation of any injunction issued under this Section, the Court, or any judge thereof, may summarily try and punish the offender for contempt of Court.

Such injunction proceedings shall be in addition to, and not in lieu of, all penalties and other remedies in this Act provided.

(4) It is hereby declared to be a public nuisance for any person to perform the act of installing plumbing in violation of the provisions of any applicable code, law or regulation respecting the installation thereof. The State's Attorney of the County in which such nuisance has occurred, or any inspector of plumbing for the territory in which such nuisance has occurred, may institute proceedings for the abatement thereof and may file a complaint in equity to enjoin the use of such plumbing until it has been corrected and brought into conformity to such code, law or regulation. The installing of any such defective plumbing is forbidden and any person making any such installation, upon conviction, shall be subject to a fine or not less than \$25.00 or more than \$500.00, or by imprisonment in the county jail for not more than six months, or both.

(5) The installation of plumbing through which disease organisms may be introduced into a pure water supply through back-siphonage or cross-connections or through the escape of vermin from building drainage systems is forbidden, and any person who shall install, or direct the installation of the same, upon conviction, shall be subject to a fine of not less

than \$200 or more than \$1000, or to imprisonment in the County jail for not more than six months, or both, for each offense.

Sec. 30. (1) The fee for the examination for a plumber's license shall be \$25.00.

(2) The annual plumber's license fee shall be \$10.00.

(3) The fee for reinstatement of a plumber's license as provided in Section 14 of this Act shall be \$15.00.

(4) The fee for the plumber's license certificate shall be \$10.00.

Sec. 31. "An Act in relation to the regulation of plumbing and to repeal a certain Act therein named," filed July 26, 1951, is repealed.

Sec. 32. The judicial determination that any section, paragraph, provision or part of this Act is unconstitutional, shall not in any way affect the constitutionality of any other provision, paragraph, section or part hereof.

Sec. 33. State's Attorneys shall prosecute all persons violating any of the provisions of this Act.

Sec. 34. This Act may be known and shall be cited as the Illinois Plumbing License Law.







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An Act in relation to the licensing and regulation of plumbers, to repeal a certain Act therein named, and to prescribe penalties for the violation thereof. Approved July 13, 1953.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. It has been established by scientific evidence that improper plumbing can adversely affect the public health. One of the functions of plumbing is to carry away sewage and human excreta and wastes which may be dangerous to health because of the presence of disease organisms or noxious and asphyxiating gases. Disease organisms may be introduced into the pure water supply through back-siphonage or cross-connections or through the escape of vermin from building drainage systems. Sewer gases may escape because of faulty installation of traps or inadequate venting of the waste disposal system. Faulty plumbing has frequently caused widespread disease and epidemics with disastrous consequences.

Consistent with its duty to safeguard the health of the people of this State, the General Assembly therefore declares that individuals who plan, install, alter, extend, repair and maintain plumbing systems should be individuals of proved skill. To insure such skill and thereby protect the public health, this Act is declared to be essential to the public interest.

Sec. 2. When used in this Act:

(1) "Board" means the Illinois State Board of Plumbing Examiners.

(2) "Department" means the Department of Registration and Education of the State of Illinois.

(3) "Director" means the Director of the Illinois Department of Registration and Education.

(4) "Person" means any natural person, firm, corporation, partnership or association.

(5) "Plumbing" means the installation, repair, maintenance, alterations or extension of a plumbing system in any building which is connected to a public water supply or public sewage system and includes:

(a) All piping, fixtures, appurtenances and appliances for a supply of water for all personal or domestic purposes in and about buildings where a person or persons live, work or assemble;

(b) Piping, fixtures, appurtenances and appliances for a sanitary drainage and related ventilation system within a building, and all piping, fixtures, appurtenances, appliances outside a building connecting the building with the source of water supply on the premises or the main in the street, alley or at the curb;

(c) All piping, fixtures, appurtenances, appliances, drain or waste pipes carrying domestic sewage from the foundation walls of a building to the sewer service lateral at the curb or in the street or alley, or other disposal terminal holding private or domestic sewage;

(d) The Planning, design, installation, repair, maintenance, alteration, extension and work upon and connection with such piping, fixtures, appliances, appurtenances, drain or waste pipes.

Plumbing does not mean or include, and nothing in this Act shall be held or construed to have any application to, the trade of drain-laying, the trade of drilling water wells, which constitute the sources of private water supplies, and of making connections between such wells and pumping units or pressure tanks in the water supply systems of buildings served by such private water supplies, or the trade or business of installing water softening equipment and apparatus and of maintaining and

servicing the same, or the business of manufacturing or selling plumbing fixtures, appliances, equipment or hardware; nor does it mean or include minor repairs which do not require changes in the piping to or from plumbing fixtures or involve the removal, replacement, installation or re-installation of any pipe or plumbing fixtures.

Sec. 3. (1) All planning and designing of plumbing systems and all plumbing shall be performed only by plumbers licensed pursuant to the provisions of this Act hereinafter called "licensed plumbers", provided that no person who holds a certificate of registration provided for by "The Illinois Architectural Act", approved June 24, 1919, as amended, or "The Illinois Structural Engineering Act", approved June 24, 1919, as amended, or the "Illinois Professional Engineering Act", approved July 20, 1945, as amended, shall be prevented from planning and designing plumbing systems.

(2) Nothing herein contained shall prohibit a licensed plumber from employing any person at least 16 years of age to engage in plumbing as a plumber's apprentice under the supervision of a licensed plumber. No person shall engage in plumbing as a plumber's apprentice unless he has registered with the Department as a plumber's apprentice upon forms prescribed by the Director. No licensed plumber shall employ any person as a plumber's apprentice who is not so registered.

(3) Nothing herein contained shall prohibit the owner or lessee occupant of a single family residence from himself planning, installing, altering or repairing the plumbing system of such residence; provided, that such plumbing shall comply with all plumbing laws, rules and regulations applicable thereto and shall be subject to such inspection as may therein be provided; and provided further that any such owner or

lessee occupant may not employ any other person than a licensed plumber to assist him in such work.

Sec. 4. The employees of a firm, association, partnership or corporation who engage in plumbing shall be licensed plumbers or apprentices. At least one member of every firm, association or partnership engaged in plumbing work, and at least one corporate officer of every corporation engaged in plumbing work, as the case may be, shall be licensed as a plumber hereunder.

Sec. 5. Every such firm, association, partnership or corporation shall keep on display in its place of business the license of at least one of its members, partners, or officers thereof.

Sec. 6. No municipal corporation or political subdivision shall engage in plumbing unless such plumbing is performed by one or more licensed plumbers, or apprentice plumbers under the supervision of licensed plumbers, provided that any such governmental unit may contract for plumbing with any person authorized to engage in plumbing in this State.

Sec. 7. (1) There is created an Illinois State Board of Plumbing Examiners which shall exercise its duties provided in this Act under the supervision of the Department. The Board shall consist of five licensed plumbers designated from time to time by the Director. In making the appointments to the Board the Director shall consider the recommendations of associations of master or contracting plumbers, associations or unions of journeyman plumbers, and associations of retail plumbers.

(2) The Board shall aid the Director and the Department by:

(a) Preparing subject matter for examinations as provided in this Act.

(b) Suggesting rules to govern examinations and hearings for suspension, revocation or reinstatement of licenses.

(c) Holding hearings for the suspension, revocation or reinstatement of licenses as provided in this Act.

(d) Submitting recommendations to the Director from time to time for the efficient administration of this Act.

(e) Grading all tests and examinations for licenses and promptly reporting the results to the Director.

(f) Performing such other duties from time to time prescribed by the Director.

3. The members of the Board shall be paid at the rate of \$10.00 per day for actual time devoted to their duties and shall be reimbursed for necessary traveling expenses.

Sec. 8. The Director shall:

(1) Prepare forms for application for examination for a plumber's license.

(2) Prepare and issue license certificates as provided in this Act.

(3) With the aid of the Board prescribe rules and regulations for the conduct of examinations for licenses.

(4) With the aid of the Board prepare and give uniform and comprehensive examinations to applicants for plumbers' licenses which will test their knowledge and qualifications in the planning and design of plumbing systems, their knowledge, qualifications, and manual skills in plumbing, and their knowledge of any minimum code of standards relating to fixtures, materials, design and installation methods of plumbing systems, which may be promulgated pursuant to the Illinois Plumbing Code Law enacted by the 70th General Assembly.

(5) Issue a plumber's license certificate to every applicant who has passed the examination and who has paid the required license fee.

(6) Prescribe rules for hearings to suspend, revoke or reinstate licenses as provided in this Act.

(7) Maintain a current record showing (a) the names and addresses of licensed plumbers in this state, (b) the dates of issuance of licenses, (c) the date and substance of the charges set forth in any complaint for suspension or revocation of any license, (d) the date and substance of the final order issued upon each such complaint, and (e) the date and substance of all petitions for reinstatement of license and final orders on such petitions. The Director shall provide each Board of Plumbing Examiners created pursuant to Section 16 of this Act with a copy of such current record, and shall advise of changes thereto at least every six months.

(8) Prescribe uniform and reasonable rules defining what constitutes an approved course of instruction in plumbing, sanitary engineering, or plumbing engineering in colleges, universities, or trade schools, and approve or disapprove the courses of instruction offered by such colleges, universities, or trade schools by reference to their compliance or non-compliance with such rules. Such rules shall be designed to assure that an approved course of instruction will adequately teach the design, planning, installation, replacement, extension, alteration and repair of plumbing. In prescribing such rules the Director may consult with the Chief Sanitary Engineer of the Department of Public Health, the Senior Professor of Sanitary Engineering of the University of Illinois, and with the Board.

Sec. 9. The Department shall hold examinations for applicants for plumbers' licenses at

least once every three months in the City of Springfield, Illinois, or some other convenient place in this State.

Sec. 10. (1) An applicant for a plumber's license shall file his written application in the office of the Department on the form designated by the Department at least 15 days before the date set for the examination.

(2) The Director shall promptly approve the application for examination if:

(a) the required examination fee has been paid, and

(b) the applicant has submitted evidence that he is a citizen of the United States or has declared his intention to become a citizen, and

(c) the applicant has been engaged in plumbing as a plumber's apprentice for at least five years preceding the date of his application, including such work as may have been performed prior to the effective date of this Act, (the applicant's own affidavit stating the time and place of such work shall be considered sufficient evidence for this subparagraph), or,

(d) the applicant has submitted evidence that he has successfully completed an approved course of instruction in plumbing, sanitary engineering, or plumbing engineering in a trade school, college or university.

(3) If the application is approved, the Department shall promptly notify the applicant in writing of such approval and of the place and time of the examination. If the application is disapproved the Department shall promptly notify the applicant in writing of such disapproval, stating the reasons for disapproval, and refund the examination fee if paid by the applicant.

Sec. 11. The Director shall issue plumber's license certificates to those applicants who pass

the examination upon payment to the Department of the required license fee. Such license certificates shall be issued in the name of the Department with the seal thereof attached.

Sec. 12. Repealed 6/8/57.

Sec. 13. An applicant who fails to pass the examination for a plumber's license shall not be permitted to take another examination until after the expiration of six months following the date of such examination.

Sec. 14. All plumbers' licenses shall expire on May 1st next following date of issuance. Licenses may be renewed for a period of one year from each succeeding May 1st, upon payment during the month of April of the required annual license fee. A license which has expired for failure to pay the annual fee shall be reinstated by the Department, without examination, upon payment of a lapsed renewal fee in addition to the annual license fee within five years following the date of expiration.

Sec. 15. The Department shall reinstate a license which expires while a licensee is in the active Military Service of the United States upon application by the former licensee within two years after termination of such military service, payment of the annual license fee and submission of evidence of such military service. Such license shall be reinstated without examination and without payment of the lapsed renewal fee.

Sec. 16. (1) Any city, village or incorporated town, having a population of 500,000 or more may, by an ordinance containing provisions substantially the same as those in this Act and specifying educational or experience requirements equivalent to those prescribed in this Act provide for a board of plumbing examiners to conduct examinations for, and to issue,

suspend, or revoke, plumbers' licenses, within such city, village or incorporated town. Upon the enactment of such ordinance the provisions of this Act shall not apply within any such municipality except as otherwise provided herein.

(2) Any person licensed as a plumber pursuant to such ordinance, or licensed by the Department under this Act, may engage in plumbing anywhere in this State.

(3) Any board of plumbing examiners created pursuant to this Section shall maintain a current record similar to that required by the Director by Section 8 of this Act, and shall provide the Department with a copy thereof. The Department shall be advised of changes in such record at least every six months.

Sec. 17. Any person who has been licensed by another state as a master plumber, journeyman plumber, or the equivalent thereof, may apply for a plumber's license under this Act. The Director shall issue such license, without examination, upon payment of the fee for the license certificate and the annual license fee provided herein if the educational or experience requirements for the issuance of the license by such other state are at least the equivalent of the requirements of this Act.

Sec. 18. (1) It is hereby declared to be the policy of this State that each city, town or village with a system of water supply or sewage or both should so soon after the enactment of this Act as practicable, with the advice of the State Department of Health, provide by ordinance, by-laws or rules and regulations for the materials, construction, alteration, and inspection of all plumbing placed in or in connection with any building in any such city, town or village and to provide for and appoint a competent Plumbing Inspector or more as required. Nothing contained in this Act shall prohibit any

city, village or incorporated town from providing for a plumbing inspector or from requiring permits for the installation and repair of plumbing and collecting a fee therefor.

(2) The Department of Public Health shall conduct inquiry in any city, town or village or at any other place in the State when reasonably necessary in the judgment of the Director of the Department of Health to safeguard the health of any person or persons in this State, on account of piping or appurtenant appliances within any building, or outside, when such piping and appliances are for the use of plumbing as defined in this Act and for the use of carrying sewage or waste within or from any building.

The Department of Public Health may conduct such inquiries in any city, town or village in this State by directing the Plumbing Inspector thereof to aid in or conduct such inquiry or investigation in behalf of the Department of Public Health, or the Department of Public Health may designate some other person or persons to conduct such investigation.

This section shall be subject to the provisions of the Illinois Plumbing Code Law enacted by the 70th General Assembly.

Sec. 19. (1) No license shall be suspended or revoked until after an impartial hearing before the Board.

(2) No hearing for the suspension or revocation of any license shall be held until a written complaint is filed with the Department stating facts which if proved would constitute grounds for suspension or revocation of a license as provided in this Act.

(3) When a written complaint is filed, the Department shall set a date for a hearing thereon which shall be held either in the City of Chicago or the City of Springfield. The Department shall promptly send to the licensee

charged in the complaint, by personal delivery or registered mail a correct copy of the complaint and notice when and where a hearing will be held. The licensee shall be given at least 20 days notice of the complaint and date and place of hearing.

(4) At the time and place specified in the notice the Board shall conduct a hearing on the complaint. A complaining party by himself or through counsel may aid in the presentation of evidence toward proving the charges alleged in the complaint. The accused may appear and defend, and may be represented by counsel. Full opportunity shall be afforded for hearing all evidence either in support of or against the charges. After completion of the hearing the Board shall submit its written report of findings to the Director. The Director shall if the findings are supported by a preponderance of the evidence, enter an order in accordance with such findings that the license of the respondent party be suspended or revoked or that the complaint be dismissed. If the Director believes for good cause that the complaint should again be referred to the Board for further hearing he may order a rehearing of the charges before the Board. A copy of the Director's order dismissing the complaint or suspending or revoking any license shall be promptly sent to respondent licensee and other parties of record either by personal delivery or registered mail. Such order of the Director shall be final unless the licensee or any other party to the record shall within 20 days after receipt of the Director's order file a written motion with the Department for rehearing, specifying the reasons therefor. The filing of a motion for rehearing shall stay the order pending a final decision. The Director shall promptly either deny or allow the motion for rehearing. If allowed there shall be an additional hearing before the Board after a notice of 20 days by

registered mail or by personal delivery to the licensee and all parties of record. Not more than one rehearing on any complaint shall be granted. The decision of the Director shall be final on issues of fact and final in all respects unless an appeal for judicial review is perfected as provided in this Act.

Sec. 20. (1) The Director shall revoke or suspend a license after hearing before the Board when the findings show one or more of the following:

(a) That the licensee obtained or conspired with others to obtain a license by inducing the issuance thereof in consideration of the payment of money or delivery of any other thing of value or by and through a willful misrepresentation of facts to the Director or the Board.

(b) That the licensee willfully violated any plumbing ordinance or resolution of any city, village, or incorporated town, or any law of this State regulating plumbing or plumbers.

(c) That the licensee has been guilty of negligence or incompetence in the performance of plumbing.

(d) That the licensee has been convicted of a felony.

(e) That the licensee has willfully violated any provision of this Act.

(f) That the licensee has willfully loaned or in any manner transferred his license to another person to permit such person to engage illegally in plumbing contrary to this Act.

(2) No proceeding to suspend or revoke a license shall be held unless filed with the Department within 3 years next after the last date of violation. If a licensee is outside the State of Illinois subsequent to any violation by him as specified in this Section, the time or duration of his absence from Illinois shall not be included as a part of such 3 years of limitation.

(3) The Director may suspend any license under this section for not less than 30 days or more than one year, but if the Director determines that the findings so justify, he may revoke any license. If a license is suspended, the license certificate shall be surrendered to the Department but it shall be returned to the licensee upon the termination of the suspension period.

Sec. 21. The Director may in his discretion reinstate a plumber's license not less than one year and not more than five years after such license has been revoked. Reinstatement by the Director may be ordered only after a hearing before the Board on the petition of the person whose license has been revoked. Whenever a petition for reinstatement is filed with the Department the Director shall set a hearing and either by personal delivery or registered mail serve a copy of the petition and notice of when and where the hearing will be held on all parties of record when the license in question was revoked. Such notice shall be served at least 20 days before the date set for the hearing. The Board shall hear all material evidence in support of or against the petition and thereafter submit its report of findings to the Director who shall promptly allow or deny the petition for reinstatement of the license. The order of the Director shall be served on the petitioner and all parties of record either by personal service or registered mail, sent to their addresses of record. If the petition for reinstatement is denied the petitioner may file his petition for rehearing within 20 days after receipt of the Director's order, whereupon, the Director will then promptly order either a denial or allowance of the petition for rehearing. If such petition for rehearing is granted the entire record shall be referred to the Board and a hearing held not less than 20 days after notice of the time and place of the rehearing.

to all parties of record. At the conclusion of such rehearing the Board shall report findings to the Director who may either grant or deny the petition for reinstatement.

No more than one rehearing on the same petition for reinstatement shall be allowed; and not more than one petition for reinstatement of the same license shall be considered or heard within one year. If the petition for reinstatement is granted by the Director, he shall promptly issue a plumber's license certificate to the petitioner upon payment of the required annual license fee.

Sec. 22. The Director and each member of the Board shall have power to subpoena to any hearing authorized by this Act any person in this State to give testimony and evidence either orally or by deposition or both. The Director and each member of the Board may also issue subpoena duces tecum for production of any books and records and other documents for evidence at any authorized hearing under this Act. Witnesses subpoenaed as provided herein shall be paid the same witness fees and mileage as provided for witnesses who are subpoenaed to give testimony in any civil case in a court of record of this State. The Director and any member of the Board is hereby empowered to administer oaths or affirmations to witnesses at any hearing authorized by this Act.

Sec. 23. Any Circuit or Superior Court or Judge thereof either in term time or vacation upon the application of the Director or any party of record to a hearing authorized by this Act may order the attendance of any witness and the production of any books, papers or documents in this State at any hearing authorized by this Act for the purpose of giving testimony or evidence. Any Court or Judge thereof as provided in this Section may compel

obedience to such order for appearance or production of records by proceedings for contempt.

Sec. 24. The Department at its expense shall provide a stenographer, take testimony and preserve a record of all proceedings at the hearing upon any complaint or petition for reinstatement. The complaint or petition and other documents in the nature of pleadings and motions filed in the case, the transcript of testimony, findings of the Board, and orders of the Director shall constitute the record. The Director shall furnish a transcript of such record to any person upon payment therefor of 75 cents per page for each original transcript and 25 cents per page for each carbon copy thereof.

Sec. 25. An order of suspension, revocation, or reinstatement of a license, or of dismissal of a complaint or petition, or a certified copy of such order, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that:

- (a) Such signature is the genuine signature of the Director.
- (b) That such Director is duly appointed and qualified.
- (c) That the Board and the Members thereof are qualified to act.

Sec. 26. All final administrative decisions of the Director hereunder shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act", approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 1 of the "Administrative Review Act".

Sec. 27. The Department shall not be required to certify any record to the Court or file any answer in Court or otherwise appear in

any Court, unless there is filed in Court with the complaint a receipt from the Department acknowledging payment of the costs for furnishing and certifying the record as provided in Section 24 hereof. Failure on the part of the plaintiff to file such a receipt in Court shall be grounds for dismissal of the action.

Sec. 28. Appeals from all final orders and judgments entered by a Circuit or Superior Court on review of an order of the Director as provided in Section 26 of this Act may be taken directly to the Supreme Court, provided that petition for leave to appeal is filed within 60 days after said order of the Circuit or Superior Court.

Sec. 29. (1) Any person violating any provision of this Act shall be fined not less than \$25.00 and not more than \$500.00, or be imprisoned in the county jail for not more than 6 months, or both, for a first offense; and for a second or subsequent violation of this Act shall be fined not less than \$50.00 nor more than \$500.00, or imprisoned in the county jail for not more than one year, or both.

(2) It is hereby declared to be a public nuisance for any person to perform any acts for which a license is required by this Act without having in effect such a license. The Director or the State's Attorney of the county in which such nuisance has occurred may file a complaint in equity in the name of the people of the State of Illinois perpetually to enjoin such person from performing such unlawful acts. Upon the filing of a verified petition in said cause, the Court, if satisfied that such unlawful acts have been performed and may continue to be performed, shall allow a temporary injunction without notice or bond enjoining the defendant from performing such unlawful acts.

(3) If it is established that said defendant contrary to this Act has been or is engaging

in or about to engage in plumbing without having been issued a license or has been or is or about to engage in plumbing after his license has been suspended or revoked or after his license has not been renewed, the Court, or any Judge thereof, may enter a decree perpetually enjoining said defendant from further engaging in plumbing contrary to this Act. In case of violation of any injunction issued under this Section, the Court, or any judge thereof, may summarily try and punish the offender for contempt of Court.

Such injunction proceedings shall be in addition to, and not in lieu of, all penalties and other remedies in this Act provided.

(4) It is hereby declared to be a public nuisance for any person to perform the act of installing plumbing in violation of the provisions of any applicable code, law or regulation respecting the installation thereof. The State's Attorney of the County in which such nuisance has occurred, or any inspector of plumbing for the territory in which such nuisance has occurred, may institute proceedings for the abatement thereof and may file a complaint in equity to enjoin the use of such plumbing until it has been corrected and brought into conformity to such code, law or regulation. The installing of any such defective plumbing is forbidden and any person making any such installation, upon conviction, shall be subject to a fine or not less than \$25.00 or more than \$500.00, or by imprisonment in the county jail for not more than six months, or both.

(5) The installation of plumbing through which disease organisms may be introduced into a pure water supply through back-siphonage or cross-connections or through the escape of vermin from building drainage systems is forbidden, and any person who shall install, or direct the installation of the same, upon conviction, shall be subject to a fine of not less

than \$200 or more than \$1000, or to imprisonment in the County jail for not more than six months, or both, for each offense.

Sec. 30. (1) The fee for the examination for a plumber's license shall be \$25.00.

(2) The annual plumber's license fee shall be \$10.00.

(3) The fee for reinstatement of a plumber's license as provided in Section 14 of this Act shall be \$15.00.

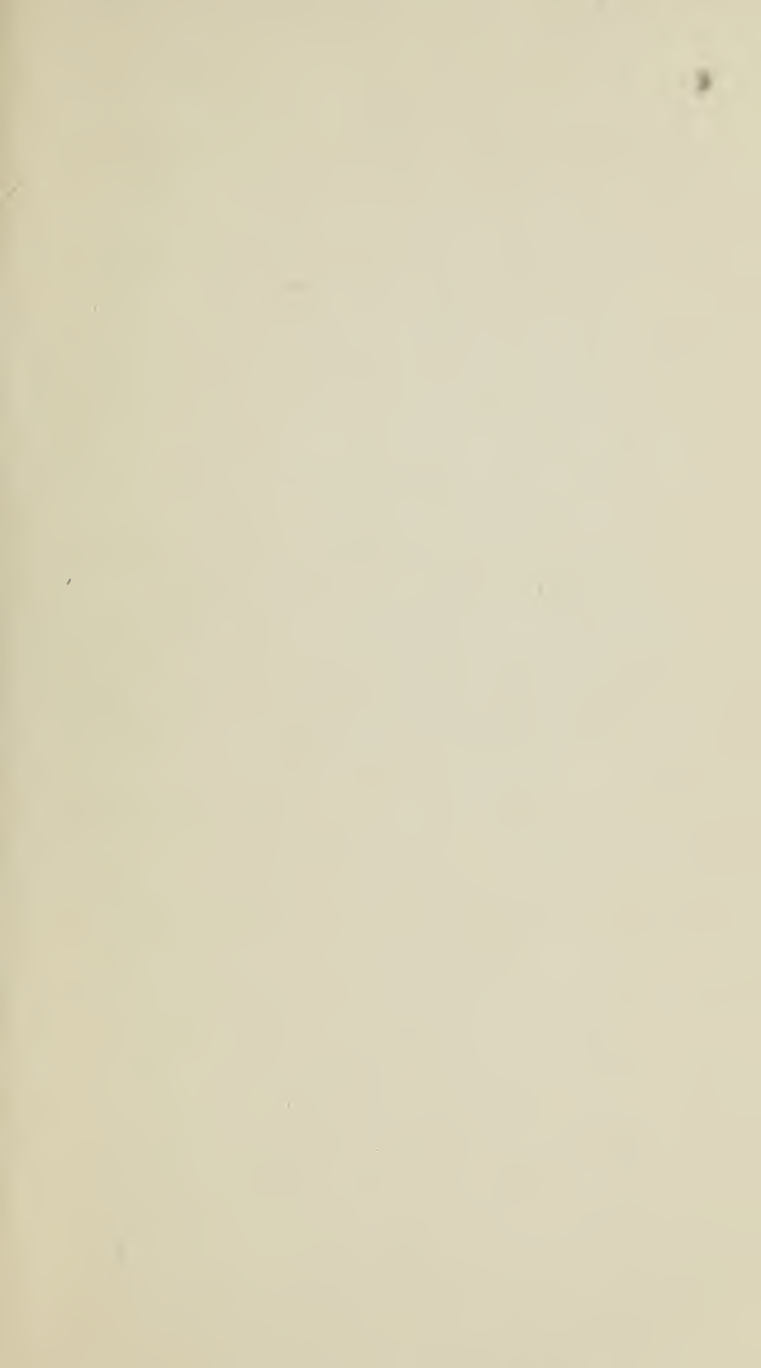
(4) The fee for the plumber's license certificate shall be \$10.00.

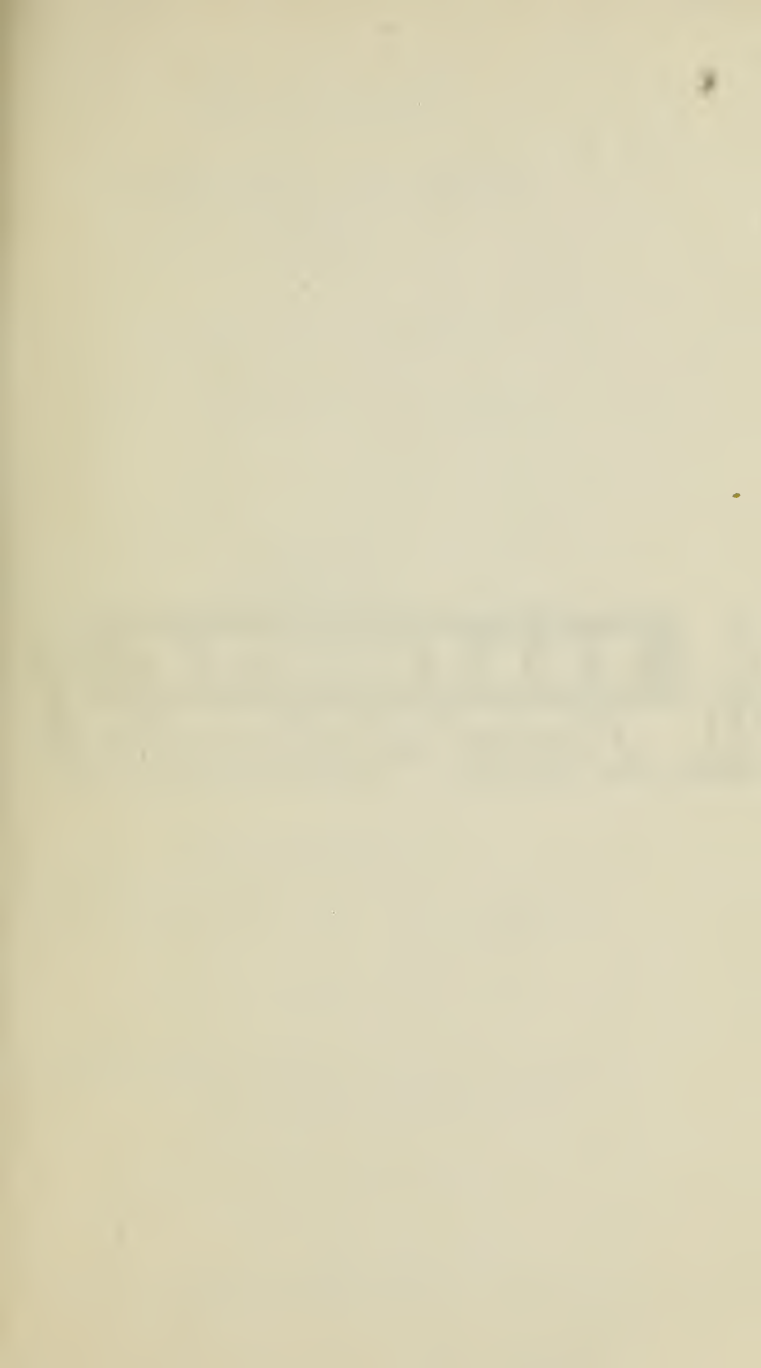
Sec. 31. "An Act in relation to the regulation of plumbing and to repeal a certain Act therein named," filed July 26, 1951, is repealed.

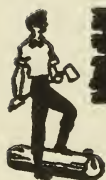
Sec. 32. The judicial determination that any section, paragraph, provision or part of this Act is unconstitutional, shall not in any way affect the constitutionality of any other provision, paragraph, section or part hereof.

Sec. 33. State's Attorneys shall prosecute all persons violating any of the provisions of this Act.

Sec. 34. This Act may be known and shall be cited as the Illinois Plumbing License Law.







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Land of Lincoln



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1962

THE ILLINOIS

**PLUMBING LICENSE
LAW**

STATE OF ILLINOIS
OTTO KERNER, Governor



DEPARTMENT OF
REGISTRATION AND EDUCATION

WILLIAM SYLVESTER WHITE, Director
SPRINGFIELD

1962

(Printed by Authority of the State of Illinois)

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An Act in relation to the licensing and regulation of plumbers, to repeal a certain Act therein named, and to prescribe penalties for the violation thereof. Approved July 13, 1953.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. It has been established by scientific evidence that improper plumbing can adversely affect the public health. One of the functions of plumbing is to carry away sewage and human excreta and wastes which may be dangerous to health because of the presence of disease organisms or noxious and asphyxiating gases. Disease organisms may be introduced into the pure water supply through back-siphonage or cross-connections or through the escape of vermin from building drainage systems. Sewer gases may escape because of faulty installation of traps or inadequate venting of the waste disposal system. Faulty plumbing has frequently caused widespread disease and epidemics with disastrous consequences.

Consistent with its duty to safeguard the health of the people of this State, the General Assembly therefore declares that individuals who plan, install, alter, extend, repair and maintain plumbing systems should be individuals of proved skill. To insure such skill and thereby protect the public health, this Act is declared to be essential to the public interest.

Sec. 2. When used in this Act:

(1) "Board" means the Illinois State Board of Plumbing Examiners.

(2) "Department" means the Department of Registration and Education of the State of Illinois.

(3) "Director" means the Director of the Illinois Department of Registration and Education.

(4) "Person" means any natural person, firm, corporation, partnership or association.

(5) "Plumbing" means the installation, repair, maintenance, alterations or extension of a plumbing system in any building which is connected to a public water supply or public sewage system and includes:

(a) All piping, fixtures, appurtenances and appliances for a supply of water for all personal or domestic purposes in and about buildings where a person or persons live, work or assemble;

(b) Piping, fixtures, appurtenances and appliances for a sanitary drainage and related ventilation system within a building, and all piping, fixtures, appurtenances, appliances outside a building connecting the building with the source of water supply on the premises or the main in the street, alley or at the curb;

(c) All piping, fixtures, appurtenances, appliances, drain or waste pipes carrying domestic sewage from the foundation walls of a building to the sewer service lateral at the curb or in the street or alley, or other disposal terminal holding private or domestic sewage;

(d) The Planning, design, installation, repair, maintenance, alteration, extension and work upon and connection with such piping, fixtures, appliances, appurtenances, drain or waste pipes.

Plumbing does not mean or include, and nothing in this Act shall be held or construed to have any application to, the trade of drain-laying, the trade of drilling water wells, which constitute the sources of private water supplies, and of making connections between such wells and pumping units or pressure tanks in the water supply systems of buildings served by such private water supplies, or the trade or business of installing water softening equipment and apparatus and of maintaining and

servicing the same, or the business of manufacturing or selling plumbing fixtures, appliances, equipment or hardware; nor does it mean or include minor repairs which do not require changes in the piping to or from plumbing fixtures or involve the removal, replacement, installation or re-installation of any pipe or plumbing fixtures.

Sec. 3. (1) All planning and designing of plumbing systems and all plumbing shall be performed only by plumbers licensed pursuant to the provisions of this Act hereinafter called "licensed plumbers", provided that no person who holds a certificate of registration provided for by "The Illinois Architectural Act", approved June 24, 1919, as amended, or "The Illinois Structural Engineering Act", approved June 24, 1919, as amended, or the "Illinois Professional Engineering Act", approved July 20, 1945, as amended, shall be prevented from planning and designing plumbing systems.

(2) Nothing herein contained shall prohibit a licensed plumber from employing any person at least 16 years of age to engage in plumbing as a plumber's apprentice under the supervision of a licensed plumber. No person shall engage in plumbing as a plumber's apprentice unless he has registered with the Department as a plumber's apprentice upon forms prescribed by the Director. No licensed plumber shall employ any person as a plumber's apprentice who is not so registered.

(3) Nothing herein contained shall prohibit the owner or lessee occupant of a single family residence from himself planning, installing, altering or repairing the plumbing system of such residence; provided, that such plumbing shall comply with all plumbing laws, rules and regulations applicable thereto and shall be subject to such inspection as may therein be provided; and provided further that any such owner or

lessee occupant may not employ any other person than a licensed plumber to assist him in such work.

Sec. 4. The employees of a firm, association, partnership or corporation who engage in plumbing shall be licensed plumbers or apprentices. At least one member of every firm, association or partnership engaged in plumbing work, and at least one corporate officer of every corporation engaged in plumbing work, as the case may be, shall be licensed as a plumber hereunder.

Sec. 5. Every such firm, association, partnership or corporation shall keep on display in its place of business the license of at least one of its members, partners, or officers thereof.

Sec. 6. No municipal corporation or political subdivision shall engage in plumbing unless such plumbing is performed by one or more licensed plumbers, or apprentice plumbers under the supervision of licensed plumbers, provided that any such governmental unit may contract for plumbing with any person authorized to engage in plumbing in this State.

Sec. 7. (1) There is created an Illinois State Board of Plumbing Examiners which shall exercise its duties provided in this Act under the supervision of the Department. The Board shall consist of five licensed plumbers designated from time to time by the Director. In making the appointments to the Board the Director shall consider the recommendations of associations of master or contracting plumbers, associations or unions of journeyman plumbers, and associations of retail plumbers.

(2) The Board shall aid the Director and the Department by:

(a) Preparing subject matter for examinations as provided in this Act.

(b) Suggesting rules to govern examinations and hearings for suspension, revocation or reinstatement of licenses.

(c) Holding hearings for the suspension, revocation or reinstatement of licenses as provided in this Act.

(d) Submitting recommendations to the Director from time to time for the efficient administration of this Act.

(e) Grading all tests and examinations for licenses and promptly reporting the results to the Director.

(f) Performing such other duties from time to time prescribed by the Director.

3. The members of the Board shall be paid at the rate of \$10.00 per day for actual time devoted to their duties and shall be reimbursed for necessary traveling expenses.

Sec. 8. The Director shall:

(1) Prepare forms for application for examination for a plumber's license.

(2) Prepare and issue license certificates as provided in this Act.

(3) With the aid of the Board prescribe rules and regulations for the conduct of examinations for licenses.

(4) With the aid of the Board prepare and give uniform and comprehensive examinations to applicants for plumbers' licenses which will test their knowledge and qualifications in the planning and design of plumbing systems, their knowledge, qualifications, and manual skills in plumbing, and their knowledge of any minimum code of standards relating to fixtures, materials, design and installation methods of plumbing systems, which may be promulgated pursuant to the Illinois Plumbing Code Law enacted by the 70th General Assembly.

(5) Issue a plumber's license certificate to every applicant who has passed the examination and who has paid the required license fee.

(6) Prescribe rules for hearings to suspend, revoke or reinstate licenses as provided in this Act.

(7) Maintain a current record showing (a) the names and addresses of licensed plumbers in this state, (b) the dates of issuance of licenses, (c) the date and substance of the charges set forth in any complaint for suspension or revocation of any license, (d) the date and substance of the final order issued upon each such complaint, and (e) the date and substance of all petitions for reinstatement of license and final orders on such petitions. The Director shall provide each Board of Plumbing Examiners created pursuant to Section 16 of this Act with a copy of such current record, and shall advise of changes thereto at least every six months.

(8) Prescribe uniform and reasonable rules defining what constitutes an approved course of instruction in plumbing, sanitary engineering, or plumbing engineering in colleges, universities, or trade schools, and approve or disapprove the courses of instruction offered by such colleges, universities, or trade schools by reference to their compliance or non-compliance with such rules. Such rules shall be designed to assure that an approved course of instruction will adequately teach the design, planning, installation, replacement, extension, alteration and repair of plumbing. In prescribing such rules the Director may consult with the Chief Sanitary Engineer of the Department of Public Health, the Senior Professor of Sanitary Engineering of the University of Illinois, and with the Board.

Sec. 9. The Department shall hold examinations for applicants for plumbers' licenses at

least once every three months in the City of Springfield, Illinois, or some other convenient place in this State.

Sec. 10. (1) An applicant for a plumber's license shall file his written application in the office of the Department on the form designated by the Department at least 15 days before the date set for the examination.

(2) The Director shall promptly approve the application for examination if:

(a) the required examination fee has been paid, and

(b) the applicant has submitted evidence that he is a citizen of the United States or has declared his intention to become a citizen, and

(c) the applicant has been engaged in plumbing as a plumber's apprentice for at least five years preceding the date of his application, including such work as may have been performed prior to the effective date of this Act, (the applicant's own affidavit stating the time and place of such work shall be considered sufficient evidence for this subparagraph), or,

(d) the applicant has submitted evidence that he has successfully completed an approved course of instruction in plumbing, sanitary engineering, or plumbing engineering in a trade school, college or university.

(3) If the application is approved, the Department shall promptly notify the applicant in writing of such approval and of the place and time of the examination. If the application is disapproved the Department shall promptly notify the applicant in writing of such disapproval, stating the reasons for disapproval, and refund the examination fee if paid by the applicant.

Sec. 11. The Director shall issue plumber's license certificates to those applicants who pass

the examination upon payment to the Department of the required license fee. Such license certificates shall be issued in the name of the Department with the seal thereof attached.

Sec. 12. Repealed 6/8/57.

Sec. 13. An applicant who fails to pass the examination for a plumber's license shall not be permitted to take another examination until after the expiration of six months following the date of such examination.

Sec. 14. All plumbers' licenses shall expire on May 1st next following date of issuance. Licenses may be renewed for a period of one year from each succeeding May 1st, upon payment during the month of April of the required annual license fee. A license which has expired for failure to pay the annual fee shall be reinstated by the Department, without examination, upon payment of a lapsed renewal fee in addition to the annual license fee within five years following the date of expiration.

Sec. 15. The Department shall reinstate a license which expires while a licensee is in the active Military Service of the United States upon application by the former licensee within two years after termination of such military service, payment of the annual license fee and submission of evidence of such military service. Such license shall be reinstated without examination and without payment of the lapsed renewal fee.

Sec. 16. (1) Any city, village or incorporated town, having a population of 500,000 or more may, by an ordinance containing provisions substantially the same as those in this Act and specifying educational or experience requirements equivalent to those prescribed in this Act provide for a board of plumbing examiners to conduct examinations for, and to issue,

suspend, or revoke, plumbers' licenses, within such city, village or incorporated town. Upon the enactment of such ordinance the provisions of this Act shall not apply within any such municipality except as otherwise provided herein.

(2) Any person licensed as a plumber pursuant to such ordinance, or licensed by the Department under this Act, may engage in plumbing anywhere in this State.

(3) Any board of plumbing examiners created pursuant to this Section shall maintain a current record similar to that required by the Director by Section 8 of this Act, and shall provide the Department with a copy thereof. The Department shall be advised of changes in such record at least every six months.

Sec. 17. Any person who has been licensed by another state as a master plumber, journeyman plumber, or the equivalent thereof, may apply for a plumber's license under this Act. The Director shall issue such license, without examination, upon payment of the fee for the license certificate and the annual license fee provided herein if the educational or experience requirements for the issuance of the license by such other state are at least the equivalent of the requirements of this Act.

Sec. 18. (1) It is hereby declared to be the policy of this State that each city, town or village with a system of water supply or sewage or both should so soon after the enactment of this Act as practicable, with the advice of the State Department of Health, provide by ordinance, by-laws or rules and regulations for the materials, construction, alteration, and inspection of all plumbing placed in or in connection with any building in any such city, town or village and to provide for and appoint a competent Plumbing Inspector or more as required. Nothing contained in this Act shall prohibit any

city, village or incorporated town from providing for a plumbing inspector or from requiring permits for the installation and repair of plumbing and collecting a fee therefor.

(2) The Department of Public Health shall conduct inquiry in any city, town or village or at any other place in the State when reasonably necessary in the judgment of the Director of the Department of Health to safeguard the health of any person or persons in this State, on account of piping or appurtenant appliances within any building, or outside, when such piping and appliances are for the use of plumbing as defined in this Act and for the use of carrying sewage or waste within or from any building.

The Department of Public Health may conduct such inquiries in any city, town or village in this State by directing the Plumbing Inspector thereof to aid in or conduct such inquiry or investigation in behalf of the Department of Public Health, or the Department of Public Health may designate some other person or persons to conduct such investigation.

This section shall be subject to the provisions of the Illinois Plumbing Code Law enacted by the 70th General Assembly.

Sec. 19. (1) No license shall be suspended or revoked until after an impartial hearing before the Board.

(2) No hearing for the suspension or revocation of any license shall be held until a written complaint is filed with the Department stating facts which if proved would constitute grounds for suspension or revocation of a license as provided in this Act.

(3) When a written complaint is filed, the Department shall set a date for a hearing thereon which shall be held either in the City of Chicago or the City of Springfield. The Department shall promptly send to the licensee

charged in the complaint, by personal delivery or registered mail a correct copy of the complaint and notice when and where a hearing will be held. The licensee shall be given at least 20 days notice of the complaint and date and place of hearing.

(4) At the time and place specified in the notice the Board shall conduct a hearing on the complaint. A complaining party by himself or through counsel may aid in the presentation of evidence toward proving the charges alleged in the complaint. The accused may appear and defend, and may be represented by counsel. Full opportunity shall be afforded for hearing all evidence either in support of or against the charges. After completion of the hearing the Board shall submit its written report of findings to the Director. The Director shall if the findings are supported by a preponderance of the evidence, enter an order in accordance with such findings that the license of the respondent party be suspended or revoked or that the complaint be dismissed. If the Director believes for good cause that the complaint should again be referred to the Board for further hearing he may order a rehearing of the charges before the Board. A copy of the Director's order dismissing the complaint or suspending or revoking any license shall be promptly sent to respondent licensee and other parties of record either by personal delivery or registered mail. Such order of the Director shall be final unless the licensee or any other party to the record shall within 20 days after receipt of the Director's order file a written motion with the Department for rehearing, specifying the reasons therefor. The filing of a motion for rehearing shall stay the order pending a final decision. The Director shall promptly either deny or allow the motion for rehearing. If allowed there shall be an additional hearing before the Board after a notice of 20 days by

registered mail or by personal delivery to the licensee and all parties of record. Not more than one rehearing on any complaint shall be granted. The decision of the Director shall be final on issues of fact and final in all respects unless an appeal for judicial review is perfected as provided in this Act.

Sec. 20. (1) The Director shall revoke or suspend a license after hearing before the Board when the findings show one or more of the following:

(a) That the licensee obtained or conspired with others to obtain a license by inducing the issuance thereof in consideration of the payment of money or delivery of any other thing of value or by and through a willful misrepresentation of facts to the Director or the Board.

(b) That the licensee willfully violated any plumbing ordinance or resolution of any city, village, or incorporated town, or any law of this State regulating plumbing or plumbers.

(c) That the licensee has been guilty of negligence or incompetence in the performance of plumbing.

(d) That the licensee has been convicted of a felony.

(e) That the licensee has willfully violated any provision of this Act.

(f) That the licensee has willfully loaned or in any manner transferred his license to another person to permit such person to engage illegally in plumbing contrary to this Act.

(2) No proceeding to suspend or revoke a license shall be held unless filed with the Department within 3 years next after the last date of violation. If a licensee is outside the State of Illinois subsequent to any violation by him as specified in this Section, the time or duration of his absence from Illinois shall not be included as a part of such 3 years of limitation.

(2) The Director may suspend any license under this section for not less than 30 days or more than one year, but if the Director determines that the findings so justify, he may revoke any license. If a license is suspended, the license certificate shall be surrendered to the Department but it shall be returned to the licensee upon the termination of the suspension period.

Sec. 21. The Director may in his discretion reinstate a plumber's license not less than one year and not more than five years after such license has been revoked. Reinstatement by the Director may be ordered only after a hearing before the Board on the petition of the person whose license has been revoked. Whenever a petition for reinstatement is filed with the Department the Director shall set a hearing and either by personal delivery or registered mail serve a copy of the petition and notice of when and where the hearing will be held on all parties of record when the license in question was revoked. Such notice shall be served at least 20 days before the date set for the hearing. The Board shall hear all material evidence in support of or against the petition and thereafter submit its report of findings to the Director who shall promptly allow or deny the petition for reinstatement of the license. The order of the Director shall be served on the petitioner and all parties of record either by personal service or registered mail, sent to their addresses of record. If the petition for reinstatement is denied the petitioner may file his petition for rehearing within 20 days after receipt of the Director's order, whereupon, the Director will then promptly order either a denial or allowance of the petition for rehearing. If such petition for rehearing is granted the entire record shall be referred to the Board and a hearing held not less than 20 days after notice of the time and place of the rehearing

to all parties of record. At the conclusion of such rehearing the Board shall report findings to the Director who may either grant or deny the petition for reinstatement.

No more than one rehearing on the same petition for reinstatement shall be allowed; and not more than one petition for reinstatement of the same license shall be considered or heard within one year. If the petition for reinstatement is granted by the Director, he shall promptly issue a plumber's license certificate to the petitioner upon payment of the required annual license fee.

Sec. 22. The Director and each member of the Board shall have power to subpoena to any hearing authorized by this Act any person in this State to give testimony and evidence either orally or by deposition or both. The Director and each member of the Board may also issue subpoena duces tecum for production of any books and records and other documents for evidence at any authorized hearing under this Act. Witnesses subpoenaed as provided herein shall be paid the same witness fees and mileage as provided for witnesses who are subpoenaed to give testimony in any civil case in a court of record of this State. The Director and any member of the Board is hereby empowered to administer oaths or affirmations to witnesses at any hearing authorized by this Act.

Sec. 23. Any Circuit or Superior Court or Judge thereof either in term time or vacation upon the application of the Director or any party of record to a hearing authorized by this Act may order the attendance of any witness and the production of any books, papers or documents in this State at any hearing authorized by this Act for the purpose of giving testimony or evidence. Any Court or Judge thereof as provided in this Section may compel

obedience to such order for appearance or production of records by proceedings for contempt.

Sec. 24. The Department at its expense shall provide a stenographer, take testimony and preserve a record of all proceedings at the hearing upon any complaint or petition for reinstatement. The complaint or petition and other documents in the nature of pleadings and motions filed in the case, the transcript of testimony, findings of the Board, and orders of the Director shall constitute the record. The Director shall furnish a transcript of such record to any person upon payment therefor of 75 cents per page for each original transcript and 25 cents per page for each carbon copy thereof.

Sec. 25. An order of suspension, revocation, or reinstatement of a license, or of dismissal of a complaint or petition, or a certified copy of such order, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that:

- (a) Such signature is the genuine signature of the Director.
- (b) That such Director is duly appointed and qualified.
- (c) That the Board and the Members thereof are qualified to act.

Sec. 26. All final administrative decisions of the Director hereunder shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act", approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 1 of the "Administrative Review Act".

Sec. 27. The Department shall not be required to certify any record to the Court or file any answer in Court or otherwise appear in

any Court, unless there is filed in Court with the complaint a receipt from the Department acknowledging payment of the costs for furnishing and certifying the record as provided in Section 24 hereof. Failure on the part of the plaintiff to file such a receipt in Court shall be grounds for dismissal of the action.

Sec. 28. Appeals from all final orders and judgments entered by a Circuit or Superior Court on review of an order of the Director as provided in Section 26 of this Act may be taken directly to the Supreme Court, provided that petition for leave to appeal is filed within 60 days after said order of the Circuit or Superior Court.

Sec. 29. (1) Any person violating any provision of this Act shall be fined not less than \$25.00 and not more than \$500.00, or be imprisoned in the county jail for not more than 6 months, or both, for a first offense; and for a second or subsequent violation of this Act shall be fined not less than \$50.00 nor more than \$500.00, or imprisoned in the county jail for not more than one year, or both.

(2) It is hereby declared to be a public nuisance for any person to perform any acts for which a license is required by this Act without having in effect such a license. The Director or the State's Attorney of the county in which such nuisance has occurred may file a complaint in equity in the name of the people of the State of Illinois perpetually to enjoin such person from performing such unlawful acts. Upon the filing of a verified petition in said cause, the Court, if satisfied that such unlawful acts have been performed and may continue to be performed, shall allow a temporary injunction without notice or bond enjoining the defendant from performing such unlawful acts.

(3) If it is established that said defendant contrary to this Act has been or is engaging

in or about to engage in plumbing without having been issued a license or has been or is or about to engage in plumbing after his license has been suspended or revoked or after his license has not been renewed, the Court, or any Judge thereof, may enter a decree perpetually enjoining said defendant from further engaging in plumbing contrary to this Act. In case of violation of any injunction issued under this Section, the Court, or any judge thereof, may summarily try and punish the offender for contempt of Court.

Such injunction proceedings shall be in addition to, and not in lieu of, all penalties and other remedies in this Act provided.

(4) It is hereby declared to be a public nuisance for any person to perform the act of installing plumbing in violation of the provisions of any applicable code, law or regulation respecting the installation thereof. The State's Attorney of the County in which such nuisance has occurred, or any inspector of plumbing for the territory in which such nuisance has occurred, may institute proceedings for the abatement thereof and may file a complaint in equity to enjoin the use of such plumbing until it has been corrected and brought into conformity to such code, law or regulation. The installing of any such defective plumbing is forbidden and any person making any such installation, upon conviction, shall be subject to a fine or not less than \$25.00 or more than \$500.00, or by imprisonment in the county jail for not more than six months, or both.

(5) The installation of plumbing through which disease organisms may be introduced into a pure water supply through back-siphonage or cross-connections or through the escape of vermin from building drainage systems is forbidden, and any person who shall install, or direct the installation of the same, upon conviction, shall be subject to a fine of not less

than \$200 or more than \$1000, or to imprisonment in the County jail for not more than six months, or both, for each offense.

Sec. 30. (1) The fee for the examination for a plumber's license shall be \$25.00.

(2) The annual plumber's license fee shall be \$10.00.

(3) The fee for reinstatement of a plumber's license as provided in Section 14 of this Act shall be \$15.00.

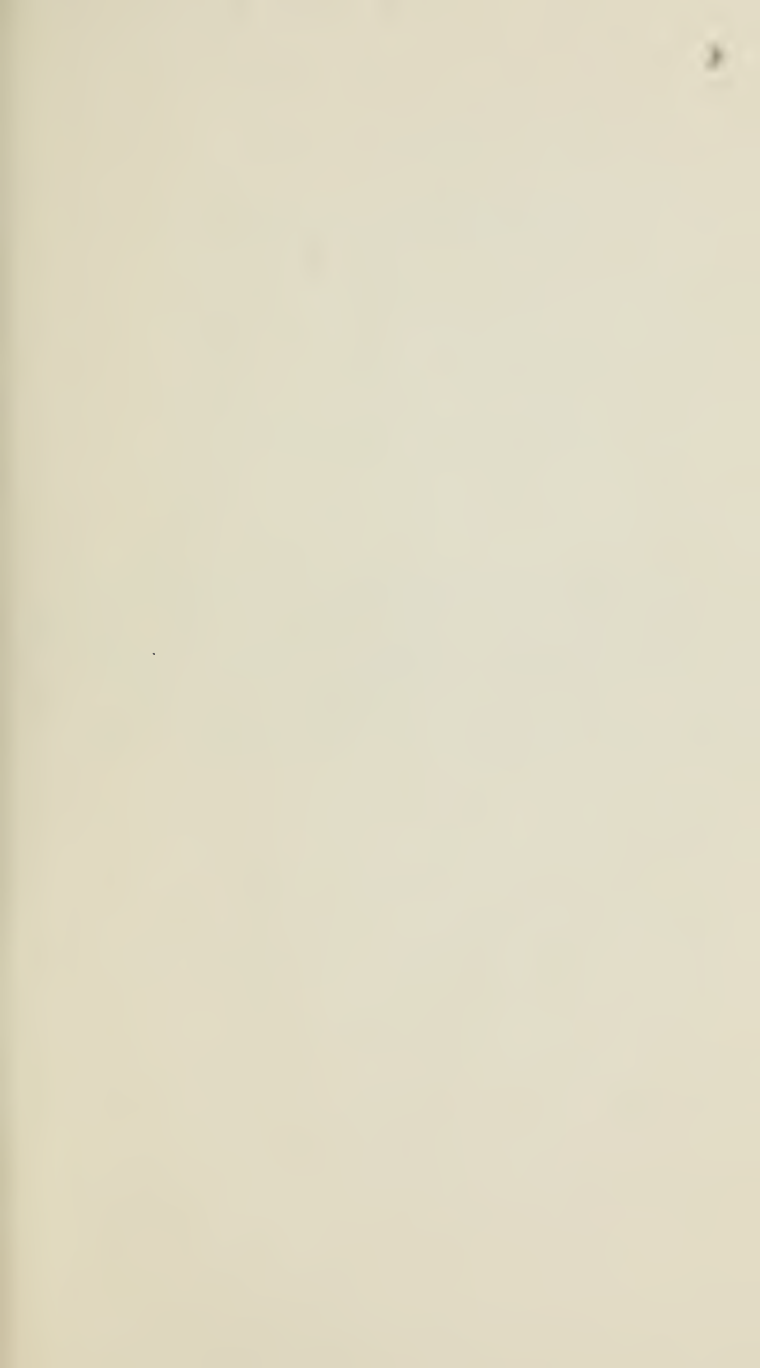
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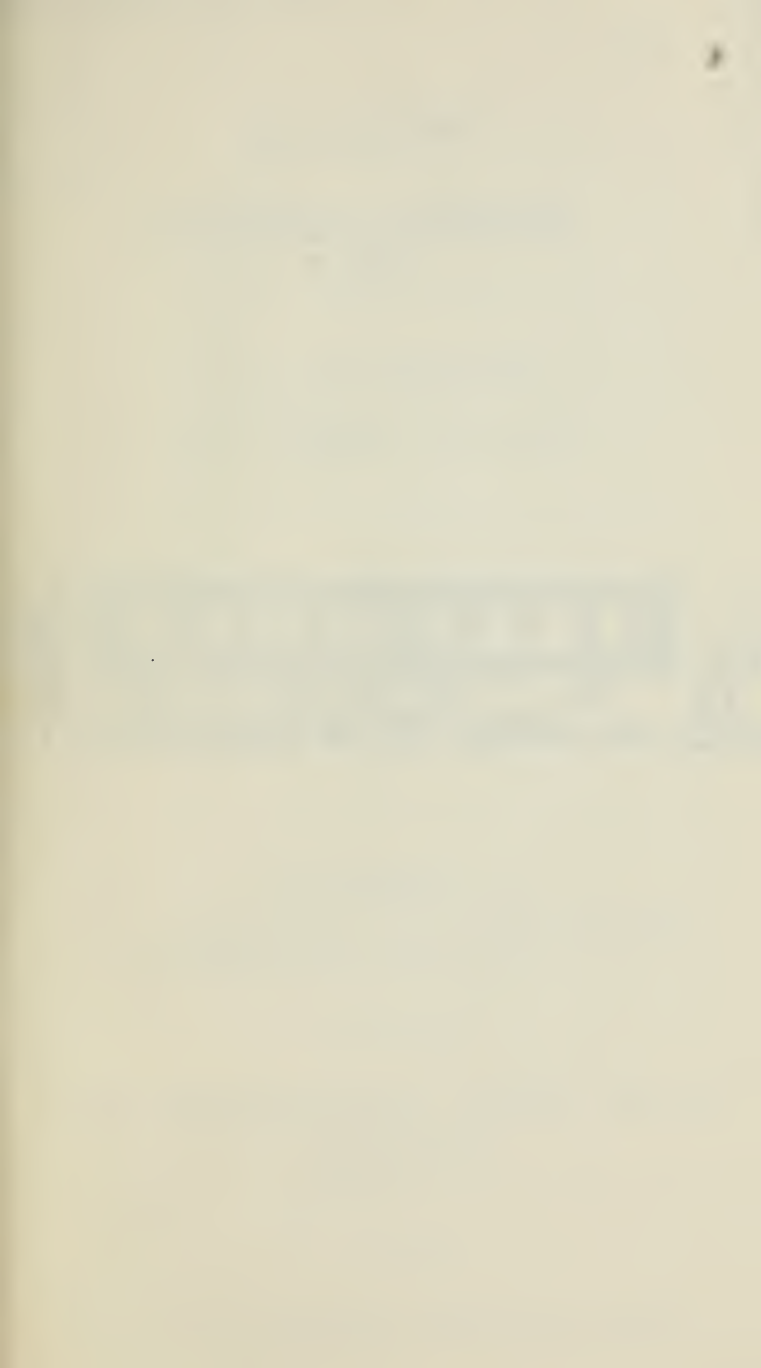
Sec. 31. "An Act in relation to the regulation of plumbing and to repeal a certain Act therein named," filed July 26, 1951, is repealed.

Sec. 32. The judicial determination that any section, paragraph, provision or part of this Act is unconstitutional, shall not in any way affect the constitutionality of any other provision, paragraph, section or part hereof.

Sec. 33. State's Attorneys shall prosecute all persons violating any of the provisions of this Act.

Sec. 34. This Act may be known and shall be cited as the Illinois Plumbing License Law.







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1963

THE ILLINOIS
PLUMBING LICENSE
LAW

STATE OF ILLINOIS
OTTO KERNER, Governor



DEPARTMENT OF
REGISTRATION AND EDUCATION

WILLIAM SYLVESTER WHITE, Director
SPRINGFIELD

1963

(Printed by Authority of the State of Illinois)

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An Act in relation to the licensing and regulation of plumbers, to repeal a certain Act therein named, and to prescribe penalties for the violation thereof. Approved July 13, 1953, as amended.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. It has been established by scientific evidence that improper plumbing can adversely affect the public health. One of the functions of plumbing is to carry away sewage and human excreta and wastes which may be dangerous to health because of the presence of disease organisms or noxious and asphyxiating gases. Disease organisms may be introduced into the pure water supply through back-siphonage or cross-connections or through the escape of vermin from building drainage systems. Sewer gases may escape because of faulty installation of traps or inadequate venting of the waste disposal system. Faulty plumbing has frequently caused widespread disease and epidemics with disastrous consequences.

Consistent with its duty to safeguard the health of the people of this State, the General Assembly therefore declares that individuals who plan, install, alter, extend, repair and maintain plumbing systems should be individuals of proved skill. To insure such skill and thereby protect the public health, this Act is declared to be essential to the public interest.

Sec. 2. When used in this Act:

(1) "Board" means the Illinois State Board of Plumbing Examiners.

(2) "Department" means the Department of Registration and Education of the State of Illinois.

(3) "Director" means the Director of the Illinois Department of Registration and Education.

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(4) "Person" means any natural person, firm, corporation, partnership or association.

(5) "Plumbing" means the installation, repair, maintenance, alterations or extension of a plumbing system in any building which is connected to a public water supply or public sewage system and includes:

(a) All piping, fixtures, appurtenances and appliances for a supply of water for all personal or domestic purposes in and about buildings where a person or persons live, work or assemble;

(b) Piping, fixtures, appurtenances and appliances for a sanitary drainage and related ventilation system within a building, and all piping, fixtures, appurtenances, appliances outside a building connecting the building with the source of water supply on the premises or the main in the street, alley or at the curb;

(c) All piping, fixtures, appurtenances, appliances, drain or waste pipes carrying domestic sewage from the foundation walls of a building to the sewer service lateral at the curb or in the street or alley, or other disposal terminal holding private or domestic sewage;

(d) The Planning, design, installation, repair, maintenance, alteration, extension and work upon and connection with such piping, fixtures, appliances, appurtenances, drain or waste pipes.

Plumbing does not mean or include, and nothing in this Act shall be held or construed to have any application to, the trade of drain-laying, the trade of drilling water wells, which constitute the sources of private water supplies, and of making connections between such wells and pumping units or pressure tanks in the water supply systems of buildings served by such private water supplies, or the trade or business of installing water softening equipment and apparatus and of maintaining and

servicing the same, or the business of manufacturing or selling plumbing fixtures, appliances, equipment or hardware; nor does it mean or include minor repairs which do not require changes in the piping to or from plumbing fixtures or involve the removal, replacement, installation or re-installation of any pipe or plumbing fixtures.

Sec. 3. (1) All planning and designing of plumbing systems and all plumbing shall be performed only by plumbers licensed pursuant to the provisions of this Act hereinafter called "licensed plumbers", provided that no person who holds a certificate of registration provided for by "The Illinois Architectural Act", approved June 24, 1919, as amended, or "The Illinois Structural Engineering Act", approved June 24, 1919, as amended, or the "Illinois Professional Engineering Act", approved July 20, 1945, as amended, shall be prevented from planning and designing plumbing systems.

(2) Nothing herein contained shall prohibit a licensed plumber from employing any person at least 16 years of age to engage in plumbing as a plumber's apprentice under the supervision of a licensed plumber. No person shall engage in plumbing as a plumber's apprentice unless he has registered with the Department as a plumber's apprentice upon forms prescribed by the Director. No licensed plumber shall employ any person as a plumber's apprentice who is not so registered.

(3) Nothing herein contained shall prohibit the owner or lessee occupant of a single family residence from himself planning, installing, altering or repairing the plumbing system of such residence; provided, that such plumbing shall comply with all plumbing laws, rules and regulations applicable thereto and shall be subject to such inspection as may therein be provided; and provided further that any such owner or

lessee occupant may not employ any other person than a licensed plumber to assist him in such work.

Sec. 4. The employees of a firm, association, partnership or corporation who engage in plumbing shall be licensed plumbers or apprentices. At least one member of every firm, association or partnership engaged in plumbing work, and at least one corporate officer of every corporation engaged in plumbing work, as the case may be, shall be licensed as a plumber hereunder.

Sec. 5. Every such firm, association, partnership or corporation shall keep on display in its place of business the license of at least one of its members, partners, or officers thereof.

Sec. 6. No municipal corporation or political subdivision shall engage in plumbing unless such plumbing is performed by one or more licensed plumbers, or apprentice plumbers under the supervision of licensed plumbers, provided that any such governmental unit may contract for plumbing with any person authorized to engage in plumbing in this State.

Sec. 7. (1) There is created an Illinois State Board of Plumbing Examiners which shall exercise its duties provided in this Act under the supervision of the Department. The Board shall consist of five licensed plumbers designated from time to time by the Director. In making the appointments to the Board the Director shall consider the recommendations of associations of master or contracting plumbers, associations or unions of journeyman plumbers, and associations of retail plumbers.

(2) The Board shall aid the Director and the Department by:

(a) Preparing subject matter for examinations as provided in this Act.

(b) Suggesting rules to govern examinations and hearings for suspension, revocation or reinstatement of licenses.

(c) Holding hearings for the suspension, revocation or reinstatement of licenses as provided in this Act.

(d) Submitting recommendations to the Director from time to time for the efficient administration of this Act.

(e) Grading all tests and examinations for licenses and promptly reporting the results to the Director.

(f) Performing such other duties from time to time prescribed by the Director.

3. The members of the Board shall be paid at the rate of \$10.00 per day for actual time devoted to their duties and shall be reimbursed for necessary traveling expenses.

Sec. 8. The Director shall:

(1) Prepare forms for application for examination for a plumber's license.

(2) Prepare and issue license certificates as provided in this Act.

(3) With the aid of the Board prescribe rules and regulations for the conduct of examinations for licenses.

(4) With the aid of the Board prepare and give uniform and comprehensive examinations to applicants for plumbers' licenses which will test their knowledge and qualifications in the planning and design of plumbing systems, their knowledge, qualifications, and manual skills in plumbing, and their knowledge of any minimum code of standards relating to fixtures, materials, design and installation methods of plumbing systems, which may be promulgated pursuant to the Illinois Plumbing Code Law enacted by the 70th General Assembly.

(5) Issue a plumber's license certificate to every applicant who has passed the examination and who has paid the required license fee.

(6) Prescribe rules for hearings to suspend, revoke or reinstate licenses as provided in this Act.

(7) Maintain a current record showing (a) the names and addresses of licensed plumbers in this state, (b) the dates of issuance of licenses, (c) the date and substance of the charges set forth in any complaint for suspension or revocation of any license, (d) the date and substance of the final order issued upon each such complaint, and (e) the date and substance of all petitions for reinstatement of license and final orders on such petitions. The Director shall provide each Board of Plumbing Examiners created pursuant to Section 16 of this Act with a copy of such current record, and shall advise of changes thereto at least every six months.

(8) Prescribe uniform and reasonable rules defining what constitutes an approved course of instruction in plumbing, sanitary engineering, or plumbing engineering in colleges, universities, or trade schools, and approve or disapprove the courses of instruction offered by such colleges, universities, or trade schools by reference to their compliance or non-compliance with such rules. Such rules shall be designed to assure that an approved course of instruction will adequately teach the design, planning, installation, replacement, extension, alteration and repair of plumbing. In prescribing such rules the Director may consult with the Chief Sanitary Engineer of the Department of Public Health, the Senior Professor of Sanitary Engineering of the University of Illinois, and with the Board.

Sec. 9. The Department shall hold examinations for applicants for plumbers' licenses at

least once every three months in the City of Springfield, Illinois, or some other convenient place in this State.

Sec. 10. (1) An applicant for a plumber's license shall file his written application in the office of the Department on the form designated by the Department at least 15 days before the date set for the examination.

(2) The Director shall promptly approve the application for examination if:

(a) the required examination fee has been paid, and

(b) the applicant has submitted evidence that he is a citizen of the United States or has declared his intention to become a citizen, and

(c) the applicant has been engaged in plumbing as a plumber's apprentice for at least five years preceding the date of his application, including such work as may have been performed prior to the effective date of this Act, (the applicant's own affidavit stating the time and place of such work shall be considered sufficient evidence for this subparagraph), or,

(d) the applicant has submitted evidence that he has successfully completed an approved course of instruction in plumbing, sanitary engineering, or plumbing engineering in a trade school, college or university.

(3) If the application is approved, the Department shall promptly notify the applicant in writing of such approval and of the place and time of the examination. If the application is disapproved the Department shall promptly notify the applicant in writing of such disapproval, stating the reasons for disapproval, and refund the examination fee if paid by the applicant.

Sec. 11. The Director shall issue plumber's license certificates to those applicants who pass

the examination upon payment to the Department of the required license fee. Such license certificates shall be issued in the name of the Department with the seal thereof attached.

Sec. 12. Repealed 6/8/57.

Sec. 13. An applicant who fails to pass the examination for a plumber's license shall not be permitted to take another examination until after the expiration of six months following the date of such examination.

Sec. 14. All licenses issued under this Act shall expire on May 1st next following date of issuance. Licenses may be renewed for a period of one year from each succeeding May 1st, upon payment during the month of April of the required annual license fee. A license which has expired for failure to pay the annual fee shall be reinstated by the Department, without examination, upon payment of all lapsed renewal fees plus the reinstatement fee within 5 years following the date of expiration.

Any licensee who has permitted his license to expire for more than 5 years, may have his license restored by making application to the Department and filing proof acceptable to the Department of his fitness to have his license restored and by paying the required restoration fee.

However, any licensee whose license expired while he was engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Air Force, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his license renewed, reinstated or restored without paying any lapsed renewal, reinstatement or restoration fees or without

passing any examination, if within 2 years after the termination of such service, training or education other than by dishonorable discharge, he furnishes the Department with an affidavit to the effect that he was so engaged and that his service, training or education has so terminated. (Amended by Act approved)

Sec. 15. The Department shall reinstate a license which expires while a licensee is in the active Military Service of the United States upon application by the former licensee within two years after termination of such military service, payment of the annual license fee and submission of evidence of such military service. Such license shall be reinstated without examination and without payment of the lapsed renewal fee.

Sec. 16. (1) Any city, village or incorporated town, having a population of 500,000 or more may, by an ordinance containing provisions substantially the same as those in this Act and specifying educational or experience requirements equivalent to those prescribed in this Act provide for a board of plumbing examiners to conduct examinations for, and to issue, suspend, or revoke, plumbers' licenses, within such city, village or incorporated town. Upon the enactment of such ordinance the provisions of this Act shall not apply within any such municipality except as otherwise provided herein.

(2) Any person licensed as a plumber pursuant to such ordinance, or licensed by the Department under this Act, may engage in plumbing anywhere in this State.

(3) Any board of plumbing examiners created pursuant to this Section shall maintain a current record similar to that required by the Director by Section 8 of this Act, and shall provide the Department with a copy thereof. The Department shall be advised of changes in such record at least every six months.

Sec. 17. Upon the payment of the required fee, an applicant who is a plumber, registered or licensed in another state, territory, country or province, may, without examination, be granted a certificate of registration as a licensed plumber by the Department of Registration and Education, in its discretion, provided:

a. that the applicant is at least twenty-one years of age, of good moral character and temperate habits, a citizen of the United States.

b. that the requirements for the registration or licensing of plumbers in such other state, territory, country or province, were, at the date of the registration or license, substantially equal to the requirements then in force in this State, and provided that the same privilege of registration is accorded by said state, territory, country or province to registered plumbers in the State of Illinois. (Amended by Act approved)

Sec. 18. (1) It is hereby declared to be the policy of this State that each city, town or village with a system of water supply or sewage or both should so soon after the enactment of this Act as practicable, with the advice of the State Department of Health, provide by ordinance, by-laws or rules and regulations for the materials, construction, alteration, and inspection of all plumbing placed in or in connection with any building in any such city, town or village and to provide for and appoint a competent Plumbing Inspector or more as required. Nothing contained in this Act shall prohibit any city, village or incorporated town from providing for a plumbing inspector or from requiring permits for the installation and repair of plumbing and collecting a fee therefor.

(2) The Department of Public Health shall conduct inquiry in any city, town or village or at any other place in the State when reasonably

necessary in the judgment of the Director of the Department of Health to safeguard the health of any person or persons in this State, on account of piping or appurtenant appliances within any building, or outside, when such piping and appliances are for the use of plumbing as defined in this Act and for the use of carrying sewage or waste within or from any building.

The Department of Public Health may conduct such inquiries in any city, town or village in this State by directing the Plumbing Inspector thereof to aid in or conduct such inquiry or investigation in behalf of the Department of Public Health, or the Department of Public Health may designate some other person or persons to conduct such investigation.

This section shall be subject to the provisions of the Illinois Plumbing Code Law enacted by the 70th General Assembly.

Sec. 19. (1) No license shall be suspended or revoked until after an impartial hearing before the Board.

(2) No hearing for the suspension or revocation of any license shall be held until a written complaint is filed with the Department stating facts which if proved would constitute grounds for suspension or revocation of a license as provided in this Act.

(3) When a written complaint is filed, the Department shall set a date for a hearing thereon which shall be held either in the City of Chicago or the City of Springfield. The Department shall promptly send to the licensee charged in the complaint, by personal delivery or registered mail a correct copy of the complaint and notice when and where a hearing will be held. The licensee shall be given at least 20 days notice of the complaint and date and place of hearing.

(4) At the time and place specified in the notice the Board shall conduct a hearing on the complaint. A complaining party by himself or through counsel may aid in the presentation of evidence toward proving the charges alleged in the complaint. The accused may appear and defend, and may be represented by counsel. Full opportunity shall be afforded for hearing all evidence either in support of or against the charges. After completion of the hearing the Board shall submit its written report of findings to the Director. The Director shall if the findings are supported by a preponderance of the evidence, enter an order in accordance with such findings that the license of the respondent party be suspended or revoked or that the complaint be dismissed. If the Director believes for good cause that the complaint should again be referred to the Board for further hearing he may order a rehearing of the charges before the Board. A copy of the Director's order dismissing the complaint or suspending or revoking any license shall be promptly sent to respondent licensee and other parties of record either by personal delivery or registered mail. Such order of the Director shall be final unless the licensee or any other party to the record shall within 20 days after receipt of the Director's order file a written motion with the Department for rehearing, specifying the reasons therefor. The filing of a motion for rehearing shall stay the order pending a final decision. The Director shall promptly either deny or allow the motion for rehearing. If allowed there shall be an additional hearing before the Board after a notice of 20 days by registered mail or by personal delivery to the licensee and all parties of record. Not more than one rehearing on any complaint shall be granted. The decision of the Director shall be final on issues of fact and final in all respects unless an appeal for judicial review is perfected as provided in this Act.

Sec. 20. (1) The Director shall revoke or suspend a license after hearing before the Board when the findings show one or more of the following:

(a) That the licensee obtained or conspired with others to obtain a license by inducing the issuance thereof in consideration of the payment of money or delivery of any other thing of value or by and through a willful misrepresentation of facts to the Director or the Board.

(b) That the licensee willfully violated any plumbing ordinance or resolution of any city, village, or incorporated town, or any law of this State regulating plumbing or plumbers.

(c) That the licensee has been guilty of negligence or incompetence in the performance of plumbing.

(d) That the licensee has been convicted of a felony.

(e) That the licensee has willfully violated any provision of this Act.

(f) That the licensee has willfully loaned or in any manner transferred his license to another person to permit such person to engage illegally in plumbing contrary to this Act.

(2) No proceeding to suspend or revoke a license shall be held unless filed with the Department within 3 years next after the last date of violation. If a licensee is outside the State of Illinois subsequent to any violation by him as specified in this Section, the time or duration of his absence from Illinois shall not be included as a part of such 3 years of limitation.

(3) The Director may suspend any license under this section for not less than 30 days or more than one year, but if the Director determines that the findings so justify, he may revoke any license. If a license is suspended, the license certificate shall be surrendered to the Department but it shall be returned to the licensee upon the termination of the suspension period.

Sec. 21. The Director may in his discretion reinstate a plumber's license not less than one year and not more than five years after such license has been revoked. Reinstatement by the Director may be ordered only after a hearing before the Board on the petition of the person whose license has been revoked. Whenever a petition for reinstatement is filed with the Department the Director shall set a hearing and either by personal delivery or registered mail serve a copy of the petition and notice of when and where the hearing will be held on all parties of record when the license in question was revoked. Such notice shall be served at least 20 days before the date set for the hearing. The Board shall hear all material evidence in support of or against the petition and thereafter submit its report of findings to the Director who shall promptly allow or deny the petition for reinstatement of the license. The order of the Director shall be served on the petitioner and all parties of record either by personal service or registered mail, sent to their addresses of record. If the petition for reinstatement is denied the petitioner may file his petition for rehearing within 20 days after receipt of the Director's order, whereupon, the Director will then promptly order either a denial or allowance of the petition for rehearing. If such petition for rehearing is granted the entire record shall be referred to the Board and a hearing held not less than 20 days after notice of the time and place of the rehearing to all parties of record. At the conclusion of such rehearing the Board shall report findings to the Director who may either grant or deny the petition for reinstatement.

No more than one rehearing on the same petition for reinstatement shall be allowed; and not more than one petition for reinstatement of the same license shall be considered or heard within one year. If the petition for reinstatement

is granted by the Director, he shall promptly issue a plumber's license certificate to the petitioner upon payment of the required annual license fee.

Sec. 22. The Director and each member of the Board shall have power to subpoena to any hearing authorized by this Act any person in this State to give testimony and evidence either orally or by deposition or both. The Director and each member of the Board may also issue subpoena duces tecum for production of any books and records and other documents for evidence at any authorized hearing under this Act. Witnesses subpoenaed as provided herein shall be paid the same witness fees and mileage as provided for witnesses who are subpoenaed to give testimony in any civil case in a court of record of this State. The Director and any member of the Board is hereby empowered to administer oaths or affirmations to witnesses at any hearing authorized by this Act.

Sec. 23. Any Circuit or Superior Court or Judge thereof either in term time or vacation upon the application of the Director or any party of record to a hearing authorized by this Act may order the attendance of any witness and the production of any books, papers or documents in this State at any hearing authorized by this Act for the purpose of giving testimony or evidence. Any Court or Judge thereof as provided in this Section may compel obedience to such order for appearance or production of records by proceedings for contempt.

Sec. 24. The Department at its expense shall provide a stenographer, take testimony and preserve a record of all proceedings at the hearing upon any complaint or petition for reinstatement. The complaint or petition and other documents in the nature of pleadings and motions filed in the case, the transcript of testi-

mony, findings of the Board, and orders of the Director shall constitute the record. The Director shall furnish a transcript of such record to any person upon payment therefor of 75 cents per page for each original transcript and 25 cents per page for each carbon copy thereof.

Sec. 25. An order of suspension, revocation, or reinstatement of a license, or of dismissal of a complaint or petition, or a certified copy of such order, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that:

- (a) Such signature is the genuine signature of the Director.
- (b) That such Director is duly appointed and qualified.
- (c) That the Board and the Members thereof are qualified to act.

Sec. 26. All final administrative decisions of the Director hereunder shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act", approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 1 of the "Administrative Review Act".

Sec. 27. The Department shall not be required to certify any record to the Court or file any answer in Court or otherwise appear in any Court, unless there is filed in Court with the complaint a receipt from the Department acknowledging payment of the costs for furnishing and certifying the record as provided in Section 24 hereof. Failure on the part of the plaintiff to file such a receipt in Court shall be grounds for dismissal of the action.

Sec. 28. Appeals from all final orders and judgments entered by a Circuit or Superior

Court on review of an order of the Director as provided in Section 26 of this Act may be taken directly to the Supreme Court, provided that petition for leave to appeal is filed within 60 days after said order of the Circuit or Superior Court.

Sec. 29. (1) Any person violating any provision of this Act shall be fined not less than \$25.00 and not more than \$500.00, or be imprisoned in the county jail for not more than 6 months, or both, for a first offense; and for a second or subsequent violation of this Act shall be fined not less than \$50.00 nor more than \$500.00, or imprisoned in the county jail for not more than one year, or both.

(2) It is hereby declared to be a public nuisance for any person to perform any acts for which a license is required by this Act without having in effect such a license. The Director or the State's Attorney of the county in which such nuisance has occurred may file a complaint in equity in the name of the people of the State of Illinois perpetually to enjoin such person from performing such unlawful acts. Upon the filing of a verified petition in said cause, the Court, if satisfied that such unlawful acts have been performed and may continue to be performed, shall allow a temporary injunction without notice or bond enjoining the defendant from performing such unlawful acts.

(3) If it is established that said defendant contrary to this Act has been or is engaging in or about to engage in plumbing without having been issued a license or has been or is or about to engage in plumbing after his license has been suspended or revoked or after his license has not been renewed, the Court, or any Judge thereof, may enter a decree perpetually enjoining said defendant from further engaging in plumbing contrary to this Act. In case of violation of any injunction issued under this

Section, the Court, or any judge thereof, may summarily try and punish the offender for contempt of Court.

Such injunction proceedings shall be in addition to, and not in lieu of, all penalties and other remedies in this Act provided.

(4) It is hereby declared to be a public nuisance for any person to perform the act of installing plumbing in violation of the provisions of any applicable code, law or regulation respecting the installation thereof. The State's Attorney of the County in which such nuisance has occurred, or any inspector of plumbing for the territory in which such nuisance has occurred, may institute proceedings for the abatement thereof and may file a complaint in equity to enjoin the use of such plumbing until it has been corrected and brought into conformity to such code, law or regulation. The installing of any such defective plumbing is forbidden and any person making any such installation, upon conviction, shall be subject to a fine or not less than \$25.00 or more than \$500.00, or by imprisonment in the county jail for not more than six months, or both.

(5) The installation of plumbing through which disease organisms may be introduced into a pure water supply through back-siphonage or cross-connections or through the escape of vermin from building drainage systems is forbidden, and any person who shall install, or direct the installation of the same, upon conviction, shall be subject to a fine of not less than \$200 or more than \$1000, or to imprisonment in the County jail for not more than six months, or both, for each offense.

Sec. 30. (1) The fee for the examination for a plumber's license shall be \$50.00.

(2) The fee for second and all subsequent examinations for a plumber's license shall be \$25.00.

(3) The annual plumber's license fee shall be \$10.00.

(4) The fee for reinstatement of a plumber's license as provided in Section 14 of this Act shall be \$15.00 plus all lapsed renewal fees.

(5) The fee to be paid by an applicant for a license as a licensed plumber, who is a plumber registered or licensed under the laws of another state, territory, country or province shall be \$50.00.

(6) The fee to be paid for the restoration of an expired license which has expired for more than 5 years shall be \$50.00.

(7) The fee to be paid by an applicant for a license as a plumber's apprentice shall be \$5.00.

(8) The annual renewal fee for a license as a plumber's apprentice shall be \$5.00. (Amended by Act approved)

Sec. 31. "An Act in relation to the regulation of plumbing and to repeal a certain Act therein named," filed July 26, 1951, is repealed.

Sec. 32. The judicial determination that any section, paragraph, provision or part of this Act is unconstitutional, shall not in any way affect the constitutionality of any other provision, paragraph, section or part hereof.

Sec. 33. State's Attorneys shall prosecute all persons violating any of the provisions of this Act.

Sec. 34. This Act may be known and shall be cited as the Illinois Plumbing License Law.



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WILLIAM SYLVESTER WHITE, Director
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1964

An Act in relation to the licensing and regulation of plumbers, to repeal a certain Act therein named, and to prescribe penalties for the violation thereof. Approved July 13, 1953, as amended.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. It has been established by scientific evidence that improper plumbing can adversely affect the public health. One of the functions of plumbing is to carry away sewage and human excreta and wastes which may be dangerous to health because of the presence of disease organisms or noxious and asphyxiating gases. Disease organisms may be introduced into the pure water supply through back-siphonage or cross-connections or through the escape of vermin from building drainage systems. Sewer gases may escape because of faulty installation of traps or inadequate venting of the waste disposal system. Faulty plumbing has frequently caused widespread disease and epidemics with disastrous consequences.

Consistent with its duty to safeguard the health of the people of this State, the General Assembly therefore declares that individuals who plan, install, alter, extend, repair and maintain plumbing systems should be individuals of proved skill. To insure such skill and thereby protect the public health, this Act is declared to be essential to the public interest.

Sec. 2. When used in this Act:

(1) "Board" means the Illinois State Board of Plumbing Examiners.

(2) "Department" means the Department of Registration and Education of the State of Illinois.

(3) "Director" means the Director of the Illinois Department of Registration and Education.

(4) "Person" means any natural person, firm, corporation, partnership or association.

(5) "Plumbing" means the installation, repair, maintenance, alterations or extension of a plumbing system in any building which is connected to a public water supply or public sewage system and includes:

(a) All piping, fixtures, appurtenances and appliances for a supply of water for all personal or domestic purposes in and about buildings where a person or persons live, work or assemble;

(b) Piping, fixtures, appurtenances and appliances for a sanitary drainage and related ventilation system within a building, and all piping, fixtures, appurtenances, appliances outside a building connecting the building with the source of water supply on the premises or the main in the street, alley or at the curb;

(c) All piping, fixtures, appurtenances, appliances, drain or waste pipes carrying domestic sewage from the foundation walls of a building to the sewer service lateral at the curb or in the street or alley, or other disposal terminal holding private or domestic sewage;

(d) The Planning, design, installation, repair, maintenance, alteration, extension and work upon and connection with such piping, fixtures, appliances, appurtenances, drain or waste pipes.

Plumbing does not mean or include, and nothing in this Act shall be held or construed to have any application to, the trade of drain-laying, the trade of drilling water wells, which constitute the sources of private water supplies, and of making connections between such wells and pumping units or pressure tanks in the water supply systems of buildings served by such private water supplies, or the trade or business of installing water softening equipment and apparatus and of maintaining and

servicing the same, or the business of manufacturing or selling plumbing fixtures, appliances, equipment or hardware; nor does it mean or include minor repairs which do not require changes in the piping to or from plumbing fixtures or involve the removal, replacement, installation or re-installation of any pipe or plumbing fixtures.

Sec. 3. (1) All planning and designing of plumbing systems and all plumbing shall be performed only by plumbers licensed pursuant to the provisions of this Act hereinafter called "licensed plumbers", provided that no person who holds a certificate of registration provided for by "The Illinois Architectural Act", approved June 24, 1919, as amended, or "The Illinois Structural Engineering Act", approved June 24, 1919, as amended, or the "Illinois Professional Engineering Act", approved July 20, 1945, as amended, shall be prevented from planning and designing plumbing systems.

(2) Nothing herein contained shall prohibit a licensed plumber from employing any person at least 16 years of age to engage in plumbing as a plumber's apprentice under the supervision of a licensed plumber. No person shall engage in plumbing as a plumber's apprentice unless he has registered with the Department as a plumber's apprentice upon forms prescribed by the Director. No licensed plumber shall employ any person as a plumber's apprentice who is not so registered.

(3) Nothing herein contained shall prohibit the owner or lessee occupant of a single family residence from himself planning, installing, altering or repairing the plumbing system of such residence; provided, that such plumbing shall comply with all plumbing laws, rules and regulations applicable thereto and shall be subject to such inspection as may therein be provided; and provided further that any such owner or

lessee occupant may not employ any other person than a licensed plumber to assist him in such work.

Sec. 4. The employees of a firm, association, partnership or corporation who engage in plumbing shall be licensed plumbers or apprentices. At least one member of every firm, association or partnership engaged in plumbing work, and at least one corporate officer of every corporation engaged in plumbing work, as the case may be, shall be licensed as a plumber hereunder.

Sec. 5. Every such firm, association, partnership or corporation shall keep on display in its place of business the license of at least one of its members, partners, or officers thereof.

Sec. 6. No municipal corporation or political subdivision shall engage in plumbing unless such plumbing is performed by one or more licensed plumbers, or apprentice plumbers under the supervision of licensed plumbers, provided that any such governmental unit may contract for plumbing with any person authorized to engage in plumbing in this State.

Sec. 7. (1) There is created an Illinois State Board of Plumbing Examiners which shall exercise its duties provided in this Act under the supervision of the Department. The Board shall consist of five licensed plumbers designated from time to time by the Director. In making the appointments to the Board the Director shall consider the recommendations of associations of master or contracting plumbers, associations or unions of journeyman plumbers, and associations of retail plumbers.

(2) The Board shall aid the Director and the Department by:

(a) Preparing subject matter for examinations as provided in this Act.

(b) Suggesting rules to govern examinations and hearings for suspension, revocation or reinstatement of licenses.

(c) Holding hearings for the suspension, revocation or reinstatement of licenses as provided in this Act.

(d) Submitting recommendations to the Director from time to time for the efficient administration of this Act.

(e) Grading all tests and examinations for licenses and promptly reporting the results to the Director.

(f) Performing such other duties from time to time prescribed by the Director.

3. The members of the Board shall be paid at the rate of \$10.00 per day for actual time devoted to their duties and shall be reimbursed for necessary traveling expenses.

Sec. 8. The Director shall:

(1) Prepare forms for application for examination for a plumber's license.

(2) Prepare and issue license certificates as provided in this Act.

(3) With the aid of the Board prescribe rules and regulations for the conduct of examinations for licenses.

(4) With the aid of the Board prepare and give uniform and comprehensive examinations to applicants for plumbers' licenses which will test their knowledge and qualifications in the planning and design of plumbing systems, their knowledge, qualifications, and manual skills in plumbing, and their knowledge of any minimum code of standards relating to fixtures, materials, design and installation methods of plumbing systems, which may be promulgated pursuant to the Illinois Plumbing Code Law enacted by the 70th General Assembly.

(5) Issue a plumber's license certificate to every applicant who has passed the examination and who has paid the required license fee.

(6) Prescribe rules for hearings to suspend, revoke or reinstate licenses as provided in this Act.

(7) Maintain a current record showing (a) the names and addresses of licensed plumbers in this state, (b) the dates of issuance of licenses, (c) the date and substance of the charges set forth in any complaint for suspension or revocation of any license, (d) the date and substance of the final order issued upon each such complaint, and (e) the date and substance of all petitions for reinstatement of license and final orders on such petitions. The Director shall provide each Board of Plumbing Examiners created pursuant to Section 16 of this Act with a copy of such current record, and shall advise of changes thereto at least every six months.

(8) Prescribe uniform and reasonable rules defining what constitutes an approved course of instruction in plumbing, sanitary engineering, or plumbing engineering in colleges, universities, or trade schools, and approve or disapprove the courses of instruction offered by such colleges, universities, or trade schools by reference to their compliance or non-compliance with such rules. Such rules shall be designed to assure that an approved course of instruction will adequately teach the design, planning, installation, replacement, extension, alteration and repair of plumbing. In prescribing such rules the Director may consult with the Chief Sanitary Engineer of the Department of Public Health, the Senior Professor of Sanitary Engineering of the University of Illinois, and with the Board.

Sec. 9. The Department shall hold examinations for applicants for plumbers' licenses at

least once every three months in the City of Springfield, Illinois, or some other convenient place in this State.

Sec. 10. (1) An applicant for a plumber's license shall file his written application in the office of the Department on the form designated by the Department at least 15 days before the date set for the examination.

(2) The Director shall promptly approve the application for examination if:

(a) the required examination fee has been paid, and

(b) the applicant has submitted evidence that he is a citizen of the United States or has declared his intention to become a citizen, and

(c) the applicant has been engaged in plumbing as a plumber's apprentice for at least five years preceding the date of his application, including such work as may have been performed prior to the effective date of this Act, (the applicant's own affidavit stating the time and place of such work shall be considered sufficient evidence for this subparagraph), or,

(d) the applicant has submitted evidence that he has successfully completed an approved course of instruction in plumbing, sanitary engineering, or plumbing engineering in a trade school, college or university.

(3) If the application is approved, the Department shall promptly notify the applicant in writing of such approval and of the place and time of the examination. If the application is disapproved the Department shall promptly notify the applicant in writing of such disapproval, stating the reasons for disapproval, and refund the examination fee if paid by the applicant.

Sec. 11. The Director shall issue plumber's license certificates to those applicants who pass

the examination upon payment to the Department of the required license fee. Such license certificates shall be issued in the name of the Department with the seal thereof attached.

Sec. 12. Repealed 6/8/57.

Sec. 13. An applicant who fails to pass the examination for a plumber's license shall not be permitted to take another examination until after the expiration of six months following the date of such examination.

Sec. 14. All licenses issued under this Act shall expire on May 1st next following date of issuance. Licenses may be renewed for a period of one year from each succeeding May 1st, upon payment during the month of April of the required annual license fee. A license which has expired for failure to pay the annual fee shall be reinstated by the Department, without examination, upon payment of all lapsed renewal fees plus the reinstatement fee within 5 years following the date of expiration.

Any licensee who has permitted his license to expire for more than 5 years, may have his license restored by making application to the Department and filing proof acceptable to the Department of his fitness to have his license restored and by paying the required restoration fee.

However, any licensee whose license expired while he was engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Air Force, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his license renewed, reinstated or restored without paying any lapsed renewal, reinstatement or restoration fees or without

passing any examination, if within 2 years after the termination of such service, training or education other than by dishonorable discharge, he furnishes the Department with an affidavit to the effect that he was so engaged and that his service, training or education has so terminated. (Amended by Act approved)

Sec. 15. The Department shall reinstate a license which expires while a licensee is in the active Military Service of the United States upon application by the former licensee within two years after termination of such military service, payment of the annual license fee and submission of evidence of such military service. Such license shall be reinstated without examination and without payment of the lapsed renewal fee.

Sec. 16. (1) Any city, village or incorporated town, having a population of 500,000 or more may, by an ordinance containing provisions substantially the same as those in this Act and specifying educational or experience requirements equivalent to those prescribed in this Act provide for a board of plumbing examiners to conduct examinations for, and to issue, suspend, or revoke, plumbers' licenses, within such city, village or incorporated town. Upon the enactment of such ordinance the provisions of this Act shall not apply within any such municipality except as otherwise provided herein.

(2) Any person licensed as a plumber pursuant to such ordinance, or licensed by the Department under this Act, may engage in plumbing anywhere in this State.

(3) Any board of plumbing examiners created pursuant to this Section shall maintain a current record similar to that required by the Director by Section 8 of this Act, and shall provide the Department with a copy thereof. The Department shall be advised of changes in such record at least every six months.

Sec. 17. Upon the payment of the required fee, an applicant who is a plumber, registered or licensed in another state, territory, country or province, may, without examination, be granted a certificate of registration as a licensed plumber by the Department of Registration and Education, in its discretion, provided:

a. that the applicant is at least twenty-one years of age, of good moral character and temperate habits, a citizen of the United States.

b. that the requirements for the registration or licensing of plumbers in such other state, territory, country or province, were, at the date of the registration or license, substantially equal to the requirements then in force in this State, and provided that the same privilege of registration is accorded by said state, territory, country or province to registered plumbers in the State of Illinois. (Amended by Act approved)

Sec. 18. (1) It is hereby declared to be the policy of this State that each city, town or village with a system of water supply or sewage or both should so soon after the enactment of this Act as practicable, with the advice of the State Department of Health, provide by ordinance, by-laws or rules and regulations for the materials, construction, alteration, and inspection of all plumbing placed in or in connection with any building in any such city, town or village and to provide for and appoint a competent Plumbing Inspector or more as required. Nothing contained in this Act shall prohibit any city, village or incorporated town from providing for a plumbing inspector or from requiring permits for the installation and repair of plumbing and collecting a fee therefor.

(2) The Department of Public Health shall conduct inquiry in any city, town or village or at any other place in the State when reasonably

necessary in the judgment of the Director of the Department of Health to safeguard the health of any person or persons in this State, on account of piping or appurtenant appliances within any building, or outside, when such piping and appliances are for the use of plumbing as defined in this Act and for the use of carrying sewage or waste within or from any building.

The Department of Public Health may conduct such inquiries in any city, town or village in this State by directing the Plumbing Inspector thereof to aid in or conduct such inquiry or investigation in behalf of the Department of Public Health, or the Department of Public Health may designate some other person or persons to conduct such investigation.

This section shall be subject to the provisions of the Illinois Plumbing Code Law enacted by the 70th General Assembly.

Sec. 19. (1) No license shall be suspended or revoked until after an impartial hearing before the Board.

(2) No hearing for the suspension or revocation of any license shall be held until a written complaint is filed with the Department stating facts which if proved would constitute grounds for suspension or revocation of a license as provided in this Act.

(3) When a written complaint is filed, the Department shall set a date for a hearing thereon which shall be held either in the City of Chicago or the City of Springfield. The Department shall promptly send to the licensee charged in the complaint, by personal delivery or registered mail a correct copy of the complaint and notice when and where a hearing will be held. The licensee shall be given at least 20 days notice of the complaint and date and place of hearing.

(4) At the time and place specified in the notice the Board shall conduct a hearing on the complaint. A complaining party by himself or through counsel may aid in the presentation of evidence toward proving the charges alleged in the complaint. The accused may appear and defend, and may be represented by counsel. Full opportunity shall be afforded for hearing all evidence either in support of or against the charges. After completion of the hearing the Board shall submit its written report of findings to the Director. The Director shall if the findings are supported by a preponderance of the evidence, enter an order in accordance with such findings that the license of the respondent party be suspended or revoked or that the complaint be dismissed. If the Director believes for good cause that the complaint should again be referred to the Board for further hearing he may order a rehearing of the charges before the Board. A copy of the Director's order dismissing the complaint or suspending or revoking any license shall be promptly sent to respondent licensee and other parties of record either by personal delivery or registered mail. Such order of the Director shall be final unless the licensee or any other party to the record shall within 20 days after receipt of the Director's order file a written motion with the Department for rehearing, specifying the reasons therefor. The filing of a motion for rehearing shall stay the order pending a final decision. The Director shall promptly either deny or allow the motion for rehearing. If allowed there shall be an additional hearing before the Board after a notice of 20 days by registered mail or by personal delivery to the licensee and all parties of record. Not more than one rehearing on any complaint shall be granted. The decision of the Director shall be final on issues of fact and final in all respects unless an appeal for judicial review is perfected as provided in this Act.

Sec. 20. (1) The Director shall revoke or suspend a license after hearing before the Board when the findings show one or more of the following:

(a) That the licensee obtained or conspired with others to obtain a license by inducing the issuance thereof in consideration of the payment of money or delivery of any other thing of value or by and through a willful misrepresentation of facts to the Director or the Board.

(b) That the licensee willfully violated any plumbing ordinance or resolution of any city, village, or incorporated town, or any law of this State regulating plumbing or plumbers.

(c) That the licensee has been guilty of negligence or incompetence in the performance of plumbing.

(d) That the licensee has been convicted of a felony.

(e) That the licensee has willfully violated any provision of this Act.

(f) That the licensee has willfully loaned or in any manner transferred his license to another person to permit such person to engage illegally in plumbing contrary to this Act.

(2) No proceeding to suspend or revoke a license shall be held unless filed with the Department within 3 years next after the last date of violation. If a licensee is outside the State of Illinois subsequent to any violation by him as specified in this Section, the time or duration of his absence from Illinois shall not be included as a part of such 3 years of limitation.

(3) The Director may suspend any license under this section for not less than 30 days or more than one year, but if the Director determines that the findings so justify, he may revoke any license. If a license is suspended, the license certificate shall be surrendered to the Department but it shall be returned to the licensee upon the termination of the suspension period.

Sec. 21. The Director may in his discretion reinstate a plumber's license not less than one year and not more than five years after such license has been revoked. Reinstatement by the Director may be ordered only after a hearing before the Board on the petition of the person whose license has been revoked. Whenever a petition for reinstatement is filed with the Department the Director shall set a hearing and either by personal delivery or registered mail serve a copy of the petition and notice of when and where the hearing will be held on all parties of record when the license in question was revoked. Such notice shall be served at least 20 days before the date set for the hearing. The Board shall hear all material evidence in support of or against the petition and thereafter submit its report of findings to the Director who shall promptly allow or deny the petition for reinstatement of the license. The order of the Director shall be served on the petitioner and all parties of record either by personal service or registered mail, sent to their addresses of record. If the petition for reinstatement is denied the petitioner may file his petition for rehearing within 20 days after receipt of the Director's order, whereupon, the Director will then promptly order either a denial or allowance of the petition for rehearing. If such petition for rehearing is granted the entire record shall be referred to the Board and a hearing held not less than 20 days after notice of the time and place of the rehearing to all parties of record. At the conclusion of such rehearing the Board shall report findings to the Director who may either grant or deny the petition for reinstatement.

No more than one rehearing on the same petition for reinstatement shall be allowed; and not more than one petition for reinstatement of the same license shall be considered or heard within one year. If the petition for reinstatement

is granted by the Director, he shall promptly issue a plumber's license certificate to the petitioner upon payment of the required annual license fee.

Sec. 22. The Director and each member of the Board shall have power to subpoena to any hearing authorized by this Act any person in this State to give testimony and evidence either orally or by deposition or both. The Director and each member of the Board may also issue subpoena duces tecum for production of any books and records and other documents for evidence at any authorized hearing under this Act. Witnesses subpoenaed as provided herein shall be paid the same witness fees and mileage as provided for witnesses who are subpoenaed to give testimony in any civil case in a court of record of this State. The Director and any member of the Board is hereby empowered to administer oaths or affirmations to witnesses at any hearing authorized by this Act.

Sec. 23. Any Circuit or Superior Court or Judge thereof either in term time or vacation upon the application of the Director or any party of record to a hearing authorized by this Act may order the attendance of any witness and the production of any books, papers or documents in this State at any hearing authorized by this Act for the purpose of giving testimony or evidence. Any Court or Judge thereof as provided in this Section may compel obedience to such order for appearance or production of records by proceedings for contempt.

Sec. 24. The Department at its expense shall provide a stenographer, take testimony and preserve a record of all proceedings at the hearing upon any complaint or petition for reinstatement. The complaint or petition and other documents in the nature of pleadings and motions filed in the case, the transcript of testi-

mony, findings of the Board, and orders of the Director shall constitute the record. The Director shall furnish a transcript of such record to any person upon payment therefor of 75 cents per page for each original transcript and 25 cents per page for each carbon copy thereof.

Sec. 25. An order of suspension, revocation, or reinstatement of a license, or of dismissal of a complaint or petition, or a certified copy of such order, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that:

- (a) Such signature is the genuine signature of the Director.
- (b) That such Director is duly appointed and qualified.
- (c) That the Board and the Members thereof are qualified to act.

Sec. 26. All final administrative decisions of the Director hereunder shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act", approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 1 of the "Administrative Review Act".

Sec. 27. The Department shall not be required to certify any record to the Court or file any answer in Court or otherwise appear in any Court, unless there is filed in Court with the complaint a receipt from the Department acknowledging payment of the costs for furnishing and certifying the record as provided in Section 24 hereof. Failure on the part of the plaintiff to file such a receipt in Court shall be grounds for dismissal of the action.

Sec. 28. Appeals from all final orders and judgments entered by a Circuit or Superior

Court on review of an order of the Director as provided in Section 26 of this Act may be taken directly to the Supreme Court, provided that petition for leave to appeal is filed within 60 days after said order of the Circuit or Superior Court.

Sec. 29. (1) Any person violating any provision of this Act shall be fined not less than \$25.00 and not more than \$500.00, or be imprisoned in the county jail for not more than 6 months, or both, for a first offense; and for a second or subsequent violation of this Act shall be fined not less than \$50.00 nor more than \$500.00, or imprisoned in the county jail for not more than one year, or both.

(2) It is hereby declared to be a public nuisance for any person to perform any acts for which a license is required by this Act without having in effect such a license. The Director or the State's Attorney of the county in which such nuisance has occurred may file a complaint in equity in the name of the people of the State of Illinois perpetually to enjoin such person from performing such unlawful acts. Upon the filing of a verified petition in said cause, the Court, if satisfied that such unlawful acts have been performed and may continue to be performed, shall allow a temporary injunction without notice or bond enjoining the defendant from performing such unlawful acts.

(3) If it is established that said defendant contrary to this Act has been or is engaging in or about to engage in plumbing without having been issued a license or has been or is or about to engage in plumbing after his license has been suspended or revoked or after his license has not been renewed, the Court, or any Judge thereof, may enter a decree perpetually enjoining said defendant from further engaging in plumbing contrary to this Act. In case of violation of any injunction issued under this

mony, findings of the Board, and orders of the Director shall constitute the record. The Director shall furnish a transcript of such record to any person upon payment therefor of 75 cents per page for each original transcript and 25 cents per page for each carbon copy thereof.

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(2) It is hereby declared to be a public nuisance for any person to perform any acts for which a license is required by this Act without having in effect such a license. The Director or the State's Attorney of the county in which such nuisance has occurred may file a complaint in equity in the name of the people of the State of Illinois perpetually to enjoin such person from performing such unlawful acts. Upon the filing of a verified petition in said cause, the Court, if satisfied that such unlawful acts have been performed and may continue to be performed, shall allow a temporary injunction without notice or bond enjoining the defendant from performing such unlawful acts.

(3) If it is established that said defendant contrary to this Act has been or is engaging in or about to engage in plumbing without having been issued a license or has been or is or about to engage in plumbing after his license has been suspended or revoked or after his license has not been renewed, the Court, or any Judge thereof, may enter a decree perpetually enjoining said defendant from further engaging in plumbing contrary to this Act. In case of violation of any injunction issued under this

Section, the Court, or any judge thereof, may summarily try and punish the offender for contempt of Court.

Such injunction proceedings shall be in addition to, and not in lieu of, all penalties and other remedies in this Act provided.

(4) It is hereby declared to be a public nuisance for any person to perform the act of installing plumbing in violation of the provisions of any applicable code, law or regulation respecting the installation thereof. The State's Attorney of the County in which such nuisance has occurred, or any inspector of plumbing for the territory in which such nuisance has occurred, may institute proceedings for the abatement thereof and may file a complaint in equity to enjoin the use of such plumbing until it has been corrected and brought into conformity to such code, law or regulation. The installing of any such defective plumbing is forbidden and any person making any such installation, upon conviction, shall be subject to a fine of not less than \$25.00 or more than \$500.00, or by imprisonment in the county jail for not more than six months, or both.

(5) The installation of plumbing through which disease organisms may be introduced into a pure water supply through back-siphonage or cross-connections or through the escape of vermin from building drainage systems is forbidden, and any person who shall install, or direct the installation of the same, upon conviction, shall be subject to a fine of not less than \$200 or more than \$1000, or to imprisonment in the County jail for not more than six months, or both, for each offense.

Sec. 30. (1) The fee for the examination for a plumber's license shall be \$50.00.

(2) The fee for second and all subsequent examinations for a plumber's license shall be \$25.00.

(3) The annual plumber's license fee shall be \$10.00.

(4) The fee for reinstatement of a plumber's license as provided in Section 14 of this Act shall be \$15.00 plus all lapsed renewal fees.

(5) The fee to be paid by an applicant for a license as a licensed plumber, who is a plumber registered or licensed under the laws of another state, territory, country or province shall be \$50.00.

(6) The fee to be paid for the restoration of an expired license which has expired for more than 5 years shall be \$50.00.

(7) The fee to be paid by an applicant for a license as a plumber's apprentice shall be \$5.00.

(8) The annual renewal fee for a license as a plumber's apprentice shall be \$5.00. (Amended by Act approved)

Sec. 31. "An Act in relation to the regulation of plumbing and to repeal a certain Act therein named," filed July 26, 1951, is repealed.

Sec. 32. The judicial determination that any section, paragraph, provision or part of this Act is unconstitutional, shall not in any way affect the constitutionality of any other provision, paragraph, section or part hereof.

Sec. 33. State's Attorneys shall prosecute all persons violating any of the provisions of this Act.

Sec. 34. This Act may be known and shall be cited as the Illinois Plumbing License Law.



ILLINOIS

Land of Lincoln



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The Illinois Plumbing License Law

Ill. Rev. Stat. 1967, Chap. 111½,
Sec. 116.36 to 116.67

STATE OF ILLINOIS

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**JOHN C. WATSON, Director
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1968

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33. Prosecution for violation of law.
34. Citation of act.

PLUMBING LICENSE LAW

AN ACT in relation to the licensing and regulation of plumbers, to repeal a certain Act therein named, and to prescribe penalties for the violation thereof. Approved July 13, 1953. L.1953, p. 1293.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Sec. 1. [Declaration of policy.] It has been established by scientific evidence that improper plumbing can adversely affect the public health. One of the functions of plumbing is to carry away sewage and human excreta and wastes which may be dangerous to health because of the presence of disease organisms or noxious and asphyxiating gases. Disease organisms may be introduced into the pure water supply through back-siphonage or cross-connections or through the escape of vermin from building drainage systems. Sewer gases may escape because of faulty installation of traps or inadequate venting of the waste disposal systems. Faulty plumbing has frequently caused widespread disease and epidemics with disastrous consequences.

Consistent with its duty to safeguard the health of the people of this State, the General Assembly therefore declares that individuals who plan, inspect, install, alter, extend, repair and maintain plumbing systems should be individuals of proved skill. To insure such skill and thereby protect the public health, this Act is declared to be essential to the public interest. (As amended by act approved Aug. 26, 1967.)

Sec. 2. [Definitions.] When used in this Act:

1. "Board" means the Illinois State Board of Plumbing Examiners.

2. "Department" means the Department of Registration and Education of the State of Illinois.

3. "Director" means the Director of the Illinois Department of Registration and Education.

4. "Person" means any natural person, firm, corporation, partnership or association.

5. "Plumbing" means the installation, repair, maintenance, alterations or extension of a plumbing system in any building which is connected to a water supply or sewage system and includes:

a. All piping, fixtures, appurtenances and appliances for a supply of water for all purposes in and about buildings where a person or persons live, work or assemble;

b. Piping, fixtures, appurtenances and appliances for a sanitary drainage and related ventilation system within a building, and all piping, fixtures, appurtenances, appliances outside a building connecting the building with the source of water supply on the premises or the main in the street, alley or at the curb;

c. All piping, fixtures, appurtenances, appliances, drain or waste pipes carrying sewage from the foundation walls of a building to the sewer service lateral at the curb or in the street or alley, or other disposal terminal holding sewage;

d. The planning, design, installation, repair, maintenance, alteration, extension and work upon and connection with such piping, fixtures, appliances, appurtenances, drain, waste and vent pipes.

e. All piping from discharge of pumping units to and including pressure tanks in water supply systems.

Plumbing does not mean or include, and nothing in this Act shall be held or construed to have any application to, the trade of drain-laying, the trade of drilling water wells, which constitute the sources of private water supplies, and of making connections between such wells and pumping units in the water supply systems of buildings served by such private water supplies, or the trade or business of installing water softening equipment and apparatus and of maintaining and servicing the same, or the business of manufacturing or selling plumbing fixtures, appliances, equipment or hardware; nor does it mean or include minor repairs which do not require changes in the piping to or from plumbing fixtures or involve the removal, replacement, installation or re-installation of any pipe or plumbing fixtures. (As amended by act approved Aug. 26, 1967.)

Sec. 3. [Licensed plumbers—Apprentices — Owner or lessee doing own work—Corporations, associations or partnerships.] 1. All planning, inspecting and designing of plumbing systems and all plumbing and the inspection thereof shall be performed only by plumbers licensed under the provisions of this Act hereinafter called "licensed plumbers", provided that no person who holds a certificate of registration provided for by "The Illinois Architectural Act", approved June 24, 1919, as amended, or "The Illinois Structural Engineering Act", approved June 24, 1919, as amended, or the "Illinois Professional Engineering Act", approved July 20, 1945, as amended, shall be prevented from planning and designing plumbing systems.

2. Nothing herein contained shall prohibit a licensed plumber from employing any person at least 16 years of age to engage in plumbing as a plumber's apprentice under the supervision

of a licensed plumber. No person shall engage in plumbing as a plumber's apprentice unless he has registered with the Department as a plumber's apprentice upon forms prescribed by the Director. No licensed plumber shall employ any person as a plumber's apprentice who is not so registered.

3. Nothing herein contained shall prohibit the owner occupant or lessee occupant of a single family residence from himself planning, installing, altering or repairing the plumbing system of such residence; provided, that such plumbing shall comply with all plumbing laws, rules and regulations applicable thereto and shall be subject to such inspection as may therein be provided; and provided further that any such owner occupant or lessee occupant may not employ any other person than a licensed plumber to assist him in such work.

4. The employees of a firm, association, partnership or corporation who engage in plumbing shall be licensed plumbers or apprentices. At least one member of every firm, association or partnership engaged in plumbing work, and at least one corporate officer of every corporation engaged in plumbing work, as the case may be, shall be licensed as a plumber hereunder. After August 31, 1968, no firm, association, partnership or corporation engaged in plumbing work shall employ more than 2 plumber's apprentices for each registered plumber employed therein. (As amended by act approved Aug. 26, 1967.)

[Sec. 4.] The Act of July 13, 1953 did not contain a section 4.

Sec. 5. [Display of license.] Every such firm, association, partnership or corporation shall keep on display in its place of business the license of at least one of its members, partners, or officers thereof.

Sec. 6. [Municipal corporation or political subdivision engaging in plumbing.] No municipal corporation or political subdivision shall engage in plumbing unless such plumbing is performed by one or more licensed plumbers, or apprentice plumbers under the supervision of licensed plumbers, provided that any such governmental unit may contract for plumbing with any person authorized to engage in plumbing in this State.

Sec. 7. [State board of plumbing examiners.]

1. There is created an Illinois State Board of Plumbing Examiners which shall exercise its duties provided in this Act under the supervision of the Department. The Board shall consist of five licensed plumbers designated from time to time by the Director. In making the appointments to the Board the Director shall consider the recommendations of associations of master or contracting plumbers, associations or unions of journeyman plumbers, and associations of retail plumbers.

2. The Board shall aid the Director and the Department by:

a. Preparing subject matter for examinations as provided in this Act.

b. Suggesting rules to govern examinations and hearings for suspension, revocation or reinstatement of licenses.

c. Holding hearings for the suspension, revocation or reinstatement of licenses as provided in this Act.

d. Submitting recommendations to the Director from time to time for the efficient administration of this Act.

e. Grading all tests and examinations for licenses and promptly reporting the results to the Director.

f. Performing such other duties from time to time prescribed by the Director.

3. The members of the Board shall be paid at the rate of \$10.00 per day for actual time devoted to their duties and shall be reimbursed for necessary traveling expenses.

Sec. 8. [Powers and duties of Director of Registration and Education.] The Director shall:

1. Prepare forms for application for examination for a plumber's license.

2. Prepare and issue license certificates as provided in this Act.

3. With the aid of the Board prescribe rules and regulations for the conduct of examinations for licenses.

4. With the aid of the Board prepare and give uniform and comprehensive examinations, to applicants for plumber's licenses which will test their knowledge and qualifications in the planning and design of plumbing systems, their knowledge, qualifications, and manual skills in plumbing, and their knowledge of any minimum code of standards relating to fixtures, materials, design and installation methods of plumbing systems, which may be promulgated pursuant to the Illinois Plumbing Code Law enacted by the Seventieth General Assembly.

5. Issue a plumber's license certificate to every applicant who has passed the examination and who has paid the required license fee.

6. Prescribe rules for hearings to suspend, revoke or reinstate licenses as provided in this Act.

7. Maintain a current record showing (a) the names and addresses of licensed plumbers in this state, (b) the dates of issuance of licenses, (c) the date and substance of the charges set forth in any complaint for suspension or revocation of any license, (d) the date and substance of the final order issued

upon each such complaint, and (e) the date and substance of all petitions for reinstatement of license and final orders on such petitions. The Director shall provide each Board of Plumbing Examiners created pursuant to Section 16 of this Act with a copy of such current record, and shall advise of changes thereto at least every six months.

8. Prescribe uniform and reasonable rules defining what constitutes an approved course of instruction in plumbing, sanitary engineering, or plumbing engineering in colleges, universities, or trade schools, and approve or disapprove the courses of instruction offered by such colleges, universities, or trade schools by reference to their compliance or noncompliance with such rules. Such rules shall be designed to assure that an approved course of instruction will adequately teach the design, planning, installation, replacement, extension, alteration and repair of plumbing. In prescribing such rules the Director may consult with the Chief Sanitary Engineer of the Department of Public Health, the Senior Professor of Sanitary Engineering of the University of Illinois, and with the Board. (As amended by act approved June 18, 1957.)

Sec. 9. [Examinations for license.] The Department shall hold examinations for applicants for plumbers' licenses at least once every three months in the City of Springfield, Illinois, or some other convenient place in this State.

Sec. 10. [Application for license—Approval or disapproval.] 1. An applicant for a plumber's license shall file his written application in the office of the Department on the form designated by the Department at least 15 days before the date set for the examination.

2. The Director shall promptly approve the application for examination if:

a. the required examination fee has been paid, and

b. the applicant has submitted evidence that he is a citizen of the United States or has declared his intention to become a citizen, and

c. the applicant has been engaged in plumbing as a registered plumber's apprentice for at least 5 years preceding the date of his application, or

d. the applicant has submitted evidence that he has successfully completed an approved course of instruction in plumbing, sanitary engineering, or plumbing engineering in a trade school, college or university.

3. If the application is approved, the Department shall promptly notify the applicant in writing of such approval and of the place and time of the examination. If the application is disapproved the Department shall promptly notify the applicant in writing of such disapproval, stating the reasons for disapproval, and refund the examination fee if paid by the applicant. (As amended by act approved Aug. 26, 1967.)

Sec. 11. [Issuance of license.] The Director shall issue plumber's license certificates to those applicants who pass the examination upon payment to the Department of the required license fee. Such license certificates shall be issued in the name of the Department with the seal thereof attached.

Sec. 12. Repealed by act approved June 18, 1957.

Sec. 13. [Failure to pass examination.] An applicant who fails to pass the examination for a plumber's license shall not be permitted to take another examination until after the expiration of six months following the date of such examination.

Sec. 14. [Expiration of license — Renewal, reinstatement or restoration—Persons in military service.] All licenses issued under this Act shall expire on May 1st next following date of issuance. Licenses may be renewed for a period of one year from each succeeding May 1st, upon payment during the month of April of the required annual license fee. Provided, that no license as a plumber's apprentice shall be renewed more than 8 times. A license which has expired for failure to pay the annual fee shall be reinstated by the Department, without examination, upon payment of all lapsed renewal fees plus the reinstatement fee within 5 years following the date of expiration.

Any licensee who has permitted his license to expire for more than 5 years, may have his license restored by making application to the Department and filing proof acceptable to the Department of his fitness to have his license restored and by paying the required restoration fee.

However, any licensee whose license expired while he was engaged (1) in federal service on active duty with the army of the United States, the United States Navy, the Marine Corps, the Air Force, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his license renewed, reinstated or restored without paying any lapsed renewal, reinstatement or restoration fees or without passing any examination, if within 2 years after the termination of such service, training or education other than by dishonorable discharge, he furnishes the Department with an affidavit to the effect that he was so engaged and that his service, training or education has so terminated. (As amended by act approved Aug. 26, 1967.)

Sec. 15. [Reinstatement of license expiring while licensee is in military service.] The Department shall reinstate a license which expires while a licensee is in the active Military Service of the United States upon application by the former licensee within two years after termination of such military service, payment of the annual license fee and submission of evidence of such military service. Such license shall be reinstated without examination and without payment of the lapsed renewal fee.

Sec. 16. [Municipal regulation.] 1. Any city, village or incorporated town, having a population of 500,000 or more may, by an ordinance containing provisions substantially the same as those in this Act and specifying educational or experience requirements equivalent to those prescribed in this Act, provide for a board of plumbing examiners to conduct examinations for, and to issue, suspend, or revoke, plumbers' licenses, within such city, village or incorporated town. Upon the enactment of such ordinance the provisions of this act shall not apply within any such municipality except as otherwise provided herein.

2. Any person licensed as a plumber pursuant to such ordinance, or licensed by the Department under this Act, may engage in plumbing anywhere in this State.

3. Any board of plumbing examiners created pursuant to this Section shall maintain a current record similar to that required of the Director by Section 8 of this Act, and shall provide the Department with a copy thereof. The Department shall be advised of changes in such record at least every six months.

Sec. 17. [License by another state—Issuance of license without examination.] Upon the payment of the required fee, an applicant who

is a plumber, registered or licensed in another state, territory, country or province, may, without examination, be granted a certificate of registration as a licensed plumber by the Department of Registration and Education, in its discretion, provided:

a. that the applicant is at least twenty-one years of age, of good moral character and temperate habits, a citizen of the United States.

b. that the requirements for the registration or licensing of plumbers in such other state, territory, country or province, were, at the date of the registration or license, substantially equal to the requirements then in force in this State, and provided that the same privilege of registration is accorded by said state, territory, country or province to registered plumbers in the State of Illinois. (As amended by act approved July 15, 1963.)

Sec. 18. [Municipal regulation—Plumbing Inspectors.] 1. It is hereby declared to be the policy of this State that each city, town or village with a system of water supply or sewage or both should so soon after the enactment of this Act as practicable, with the advice of the State Department of Health, provide by ordinance, by-laws or rules and regulations for the materials, construction, alteration, and inspection of all plumbing placed in or in connection with any building in any such city, town or village and to provide for and appoint a competent Plumbing Inspector or more as required. Nothing contained in this Act shall prohibit any city, village or incorporated town from providing for a plumbing inspector or from requiring permits for the installation and repair of plumbing and collecting a fee therefor. No person shall be appointed as a Plumbing Inspector who is not a licensed plumber under this Act.

2. The Department of Public Health shall conduct inquiry in any city, town or village or at any other place in the State when reasonably necessary in the judgment of the Director of the Department of Health to safeguard the health of any person or persons in this State, on account of piping or appurtenant appliances within any building, or outside, when such piping and appliances are for the use of plumbing as defined in this Act and for the use of carrying sewage or waste within or from any building.

The Department of Public Health may conduct such inquiries in any city, town or village in this State by directing the Plumbing Inspector thereof to aid in or conduct such inquiry or investigation in behalf of the Department of Public Health or the Department of Public Health may designate some other person or persons to conduct such investigation.

This Section shall be subject to the provisions of the Illinois Plumbing Code Law enacted by the 70th General Assembly. (As amended by act approved Aug. 26, 1967.)

Sec. 19. [Suspension or revocation of license.] 1. No license shall be suspended or revoked until after an impartial hearing before the Board.

2. No hearing for the suspension or revocation of any license shall be held until a written complaint is filed with the Department stating facts which if proved would constitute grounds for suspension or revocation of a license as provided in this Act.

3. When a written complaint is filed, the Department shall set a date for a hearing thereon which shall be held either in the City of Chicago or the City of Springfield. The Department shall promptly send to the licensee charged in the complaint, by personal delivery or registered mail a correct copy of the com-

plaint and notice when and where a hearing will be held. The licensee shall be given at least 20 days notice of the complaint and date and place of hearing.

4. At the time and place specified in the notice the Board shall conduct a hearing on the complaint. A complaining party by himself or through counsel may aid in the presentation of evidence toward proving the charges alleged in the complaint. The accused may appear and defend, and may be represented by counsel. Full opportunity shall be afforded for hearing all evidence either in support of or against the charges. After completion of the hearing the Board shall submit its written report of findings to the Director. The Director shall if the findings are supported by a preponderance of the evidence, enter an order in accordance with such findings that the license of the respondent party be suspended or revoked or that the complaint be dismissed. If the Director believes for good cause that the complaint should again be referred to the Board for further hearing he may order a rehearing of the charges before the Board. A copy of the Director's order dismissing the complaint or suspending or revoking any license shall be promptly sent to respondent licensee and other parties of record either by personal delivery or registered mail. Such order of the Director shall be final unless the licensee or any other party to the record shall within 20 days after receipt of the Director's order file a written motion with the Department for rehearing, specifying the reasons therefor. The filing of a motion for rehearing shall stay the order pending a final decision. The Director shall promptly either deny or allow the motion for rehearing. If allowed there shall be an additional hearing before the Board after a notice of 20 days by registered mail or by personal delivery to the

licensee and all parties of record. Not more than one rehearing on any complaint shall be granted. The decision of the Director shall be final on issues of fact and final in all respects unless an appeal for judicial review is perfected as provided in this Act.

Sec. 20. [Grounds for suspension or revocation of license.] 1. The Director may revoke or suspend a license after hearing before the Board when the findings show one or more of the following:

a. That the licensee obtained or conspired with others to obtain a license by inducing the issuance thereof in consideration of the payment of money or delivery of any other thing of value or by and through a wilful misrepresentation of facts to the Director or the Board.

b. That the licensee wilfully violated any plumbing ordinance or resolution of any city, village, or incorporated town, or any law of this State regulating plumbing or plumbers.

c. That the licensee has been guilty of negligence or incompetence in the performance of plumbing.

d. That the licensee has been convicted in this or another State of any crime which is a felony under the laws of this State or has been convicted of a felony in a federal court.

e. That the licensee has wilfully violated any provision of this Act.

f. That the licensee has wilfully loaned or in any manner transferred his license to another person to permit that person to engage illegally in plumbing contrary to this Act.

2. No proceeding to suspend or revoke a license may be held unless filed with the Department within 3 years next after the last day of violation. If a licensee is outside the State of Illinois after any violation by him

as specified in this Section, the time or duration of his absence from Illinois shall not be included as a part of the 3 years of limitation.

3. The Director may suspend any license under this Section for not less than 30 days or more than one year, but if the Director determines that the findings so justify, he may revoke any license. If a license is suspended, the license certificate shall be surrendered to the Department but it shall be returned to the licensee upon the termination of the suspension period. (As amended by act approved May 5, 1967.)

Sec. 21. [Reinstatement of license in discretion of director—Rehearing on petition for reinstatement.] The Director may in his discretion reinstate a plumber's license not less than one year and not more than five years after such license has been revoked. Reinstatement by the Director may be ordered only after a hearing before the Board on the petition of the person whose license has been revoked. Whenever a petition for reinstatement is filed with the Department the Director shall set a hearing and either by personal delivery or registered mail serve a copy of the petition and notice of when and where the hearing will be held on all parties of record when the license in question was revoked. Such notice shall be served at least 20 days before the date set for the hearing. The Board shall hear all material evidence in support of or against the petition and thereafter submit its report of findings to the Director who shall promptly allow or deny the petition for reinstatement of the license. The order of the Director shall be served on the petitioner and all parties of record either by personal service or registered mail, sent to their addresses of record. If the petition for reinstatement is denied the petitioner may file his peti-

tion for rehearing within 20 days after receipt of the Director's order, whereupon, the Director will then promptly order either a denial or allowance of the petition for rehearing. If such petition for rehearing is granted the entire record shall be referred to the Board and a hearing held not less than 20 days after notice of the time and place of the rehearing to all parties of record. At the conclusion of such rehearing the Board shall report findings to the Director who may either grant or deny the petition for reinstatement.

No more than one rehearing on the same petition for reinstatement shall be allowed; and not more than one petition for reinstatement of the same license shall be considered or heard within one year. If the petition for reinstatement is granted by the Director, he shall promptly issue a plumber's license certificate to the petitioner upon payment of the required annual license fee.

Sec. 22. [Witnesses at hearings—Subpoena—Fees.] The Director and each member of the Board shall have power to subpoena to any hearing authorized by this Act any person in this State to give testimony and evidence either orally or by deposition or both. The Director and each member of the Board may also issue subpoena duces tecum for production of any books and records and other documents for evidence at any authorized hearing under this Act. Witnesses subpoenaed as provided herein shall be paid the same witness fees and mileage as provided for witnesses who are subpoenaed to give testimony in any civil case in a court of this State. The Director and any member of the Board is hereby empowered to administer oaths or affirmations to witnesses at any hearing authorized by this Act. (As amended by act approved Aug. 24, 1965.)

Sec. 23. [Attendance of witnesses and production of books and documents.] Any circuit court or judge thereof upon the application of the Director or any party of record to a hearing authorized by this Act may order the attendance of any witness and the production of any books, papers or documents in this State at any hearing authorized by this Act for the purpose of giving testimony or evidence. Any court or judge thereof as provided in this section may compel obedience to such order for appearance or production of records by proceedings for contempt. (As amended by act approved Aug. 24, 1965.)

Sec. 24. [Stenographic record of proceedings.] The Department at its expense shall provide a stenographer, take testimony and preserve a record of all proceedings at the hearing upon any complaint or petition for reinstatement. The complaint or petition and other documents in the nature of pleadings and motions filed in the case, the transcript of testimony, findings of the Board, and orders of the Director shall constitute the record. The Director shall furnish a transcript of such record to any person upon payment therefor of 75c per page for each original transcript and 25c per page for each carbon copy thereof.

Sec. 25. [Order of suspension, etc., of license or of dismissal of complaint or petition.] An order of suspension, revocation, or reinstatement of a license, or of dismissal of a complaint or petition, or a certified copy of such order, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that:

a. Such signature is the genuine signature of the Director.

b. That such Director is duly appointed and qualified.

c. That the Board and the Members thereof are qualified to act.

Sec. 26. [Judicial review of administrative decisions.] All final administrative decisions of the Director hereunder shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act", approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 1 of the "Administrative Review Act".

Sec. 27. [Certification of record—Receipt.] The Department shall not be required to certify any record to the Court or file any answer in Court or otherwise appear in any Court, unless there is filed in Court with the complaint a receipt from the Department acknowledging payment of the costs for furnishing and certifying the record as provided in Section 24 hereof. Failure on the part of the plaintiff to file such a receipt in Court shall be grounds for dismissal of the action.

Sec. 28. Repealed by act approved Aug. 24, 1965.

Sec. 29. [Penalties—Public nuisance—Injunction—Contempt.] 1. Any person violating any provision of this Act shall be fined not less than \$25.00 and not more than \$500.00, or be imprisoned in the county jail for not more than 6 months, or both, for a first offense; and for a second or subsequent violation of this Act shall be fined not less than \$50.00 nor more than \$500.00, or imprisoned in the county jail for not more than one year, or both.

2. It is hereby declared to be a public nuisance for any person to perform any acts for which a license is required by this Act without having in effect such a license. The Di-

rector or the State's Attorney of the county in which such nuisance has occurred may file a complaint in equity in the name of the people of the State of Illinois perpetually to enjoin such person from performing such unlawful acts. Upon the filing of a verified petition in said cause, the Court, if satisfied that such unlawful acts have been performed and may continue to be performed, shall allow a temporary injunction without notice or bond enjoining the defendant from performing such unlawful acts.

3. If it is established that said defendant contrary to this Act has been or is engaging in or about to engage in plumbing without having been issued a license or has been or is or about to engage in plumbing after his license has been suspended or revoked or after his license has not been renewed, the Court, or any Judge thereof, may enter a decree perpetually enjoining said defendant from further engaging in plumbing contrary to this Act. In case of violation of any injunction issued under this Section, the Court, or any judge thereof, may summarily try and punish the offender for contempt of Court. Such injunction proceedings shall be in addition to, and not in lieu of, all penalties and other remedies in this Act provided.

4. It is hereby declared to be a public nuisance for any person to perform the act of installing plumbing in violation of the provisions of any applicable code, law or regulation respecting the installation thereof. The State's Attorney of the County in which such nuisance has occurred, or any inspector of plumbing for the territory in which such nuisance has occurred, may institute proceedings for the abatement thereof and may file a complaint in equity to enjoin the use of such plumbing until it has been corrected and brought into conformity to such code, law or regulation. The in-

stalling of any such defective plumbing is forbidden and any person making any such installation, upon conviction, shall be subject to a fine of not less than \$25.00 or more than \$500.00, or by imprisonment in the county jail for not more than six months, or both.

5. The installation of plumbing through which disease organisms may be introduced into a pure water supply through back-siphonage or cross-connections or through the escape of vermin from building drainage systems is forbidden, and any person who shall install, or direct the installation of the same, upon conviction, shall be subject to a fine of not less than \$200 or more than \$1000, or to imprisonment in the County jail for not more than six months, or both, for each offense.

Sec. 30. [Fees.] 1. The fee for the examination for a plumber's license shall be \$50.00.

2. The fee for second and all subsequent examinations for a plumber's license shall be \$25.00.

3. The annual plumber's license fee shall be \$10.00.

4. The fee for reinstatement of a plumber's license as provided in Section 14 of this Act shall be \$15.00 plus all lapsed renewal fees.

5. The fee to be paid by an applicant for a license as a licensed plumber, who is a plumber registered or licensed under the laws of another state, territory, country or province shall be \$50.00.

6. The fee to be paid for the restoration of an expired license which has expired for more than 5 years shall be \$50.00.

7. The fee to be paid by an applicant for a license as a plumber's apprentice shall be \$5.00.

8. The annual renewal fee for a license as a plumber's apprentice shall be \$5.00. (As amended by act approved July 15, 1963.)

Sec. 31. Repealed

Sec. 32. [Partial invalidity.] The judicial determination that any section, paragraph, provision or part of this Act is unconstitutional, shall not in any way affect the constitutionality of any other provision, paragraph, section or part hereof.

Sec. 33. [Prosecution for violation of law.] State's Attorneys shall prosecute all persons violating any of the provisions of this Act.

Sec. 34. [Citation of act.] This Act may be known and shall be cited as the Illinois Plumbing License Law.



ILLINOIS

Land of Lincoln



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